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ARTICLE I Title, Purpose, and Authority

Section 1. TITLE.

This Ordinance shall be known as and may be referred to and cited as the Zoning Ordinance of the Village of Coal Valley, Illinois.

Section 2. PURPOSE.

The various zoning districts which are created by the Zoning Ordinance and the various articles and sections of the Ordinance are adopted for the purposes, among others, of:

- 2.001 Promoting the public health, safety, morals, comfort, and general welfare;
- 2.002 Helping to achieve greater efficiency and economy of land development by promoting the grouping of those activities which have similar needs and which are compatible;
- 2.003 Encouraging such distribution of population, classification of land use, and distribution of land development that will tend to facilitate adequate and economic provisions for transportation, communications, water supply, drainage, sanitation, education, recreation and other public requirements;
- 2.004 Lessening or avoiding congestion in the public streets and highways;
- 2.005 Protecting against fire, explosion, noxious fumes, and other hazards in the interest of the public health, safety, comfort, and general welfare;
- 2.006 Helping to insure that all residential, commercial, manufacturing and other types of structures will be accessible to fire fighting and other emergency equipment;
- 2.007 Prohibiting the formation or expansion of non-conforming uses of land, buildings and structures which are adversely affecting the character and value of desirable development in each zoning district;
- 2.008 Promoting the development of residential neighborhoods which are free of objectionable noise, dust,, fumes, heavy traffic volumes, and other adverse conditions, and in which each dwelling unit is assured of light, air and open spaces;
- 2.009 Preventing land development activities which lead to roadside blight and minimizing the effects of nuisance producing activities;
- 2.010 Promoting and guiding the continued growth and expansion of the Village while protecting the natural, economic and scenic resources of the Village; and
- 2.011 Conserving the taxable value of land and buildings throughout the Village.

Section 3. AUTHORITY.

The Ordinance is adopted in pursuance of the authority granted by the State of Illinois, Compiled Statutes, Chapter 65 – Municipalities, and the State of Illinois Municipal Code, Division 13.

ARTICLE II Definitions

Section 1. DEFINITIONS.

For the purposes of the Ordinance and for the implementation of the revisions contained herein, certain words, terms and phrases are to be interpreted as defined herein. Words used in the present tense shall include the future tense; the singular number includes the plural number, the plural number includes the singular number. The word "lot", includes the word "plot" or "parcel." The word "shall" is mandatory; the word "may" is permissive. The masculine pronoun shall include the feminine.

The following words, terms and phrases are hereby defined as follows and shall be interpreted as such throughout the Ordinance. Terms not herein defined shall have the meaning customarily assigned to them.

- 1.001 **ADVERTISING DEVICE.** An advertising sign, billboard or poster pane which directs attention to a business, commodity, service or entertainment.
- 1.002 **ALLEY.** A traffic way, dedicated to public use, which affords a secondary means of vehicular access to the back or side of properties otherwise abutting a street.
- 1.003 **AUTOMOBILE LAUNDRY/CAR WASH.** A building or portion thereof containing activities for the commercial washing of motor vehicles or providing space, water or equipment to the public for the complete or partial hand-washing of such motor vehicles, whether by the operator or by the customer.
- 1.004 **AUTOMOBILE SERVICE STATION.** A building or portion thereof or premises used for dispensing or offering for sale at retail any automotive fuels or oils, having pumps and storage tanks thereon, or where battery, tire and other similar services are rendered.
- 1.005 **BASEMENT.** A story having part but not more than fifty (50) percent of its height below the average grade of the adjoining ground (as distinguished from a "cellar"). A basement shall be counted as a story for the purposes of height measurement. (See Appendix A)
- 1.006 **BILLBOARD.** A sign which has more than one hundred (100) square feet of display surface and which is either erected on the ground or attached to or supported by a building or structure.
- 1.007 **BLOCK.** A tract of land bound by streets, or by a combination of streets and public parks, cemeteries, railroad rights-of-way, shore-lines of waterways and/or other physical barriers.
- 1.008 **BOARDING HOUSE.** A dwelling other than a hotel or motel where for compensation and by prearrangement for definite periods meals or lodging and meals are provided for three (3) or more, but not exceeding twenty (20), persons on a weekly or monthly basis.
- 1.009 **BOARD OF APPEALS.** The Zoning Board of Appeals of the Village is established in Article XVIII – Administration, of this Zoning Ordinance.
- 1.010 **BUILDABLE AREA.** The space remaining on a lot after the minimum open space, yards and setback requirements have been complied with.
- 1.011 **BUILDING.** Any structure designed or built for the support, enclosure, shelter or protection of people, animals, chattels or property of any kind.
- 1.012 **BUILDING, ACCESSORY.** A building on the same zoning lot as a principal

building which, by its nature, is customarily incidental and subordinate to the principal building.

- 1.013 **BUILDING, DETACHED.** A building surrounded by open space on the same zoning lot.
- 1.014 **BUILDINGS, HEIGHT OF.** The vertical distance from the grade to the highest point or the coping of a flat roof, to the deck line of a mansard roof or the mean height level between eaves and ridges for gable, hip or gambrel roofs. (See Appendix A)
- 1.015 **BUILDING LINE.** A line parallel to the street right of way line at a distance established by the principal building's nearest point to the right of way line. The distance of this line from the right of way line may be greater or less than that of the Building Setback Line.
- 1.016 **BUILDING, PRINCIPAL.** The main building on a lot occupied by a principal or special use permitted in a zoning district. (See Appendix A)
- 1.017 **BUILDING SETBACK LINE.** A line parallel to the street right-of-way line at a distance established by the setback requirements of the zoning district.
- 1.018 **CELLAR.** A story having fifty (50) percent or more of its height below the average grade of the adjoining ground (as distinguished from a "basement"). A cellar shall not be counted as a story for purposes of height measurement. (See Appendix A)
- 1.019 **CHILD CARE CENTER.** An establishment enrolling children and charging tuition, fees or other forms of compensation for the care of children which is licensed or approved by an appropriate authority to operate as a child care center.
- 1.020 **CLINIC.** An establishment where patients who are not lodged overnight are admitted for examination or treatment by physicians or health care practitioners practicing together.
- 1.021 **CLUBS, PRIVATE.** A building or buildings and facilities owned and operated by a corporation, association, person or persons for social, educational or recreational purposes, but not primarily for profit nor to render a service which is customarily carried on as a business.
- 1.022 **CONVALESCENT HOMES.** – (See "Nursing Home")
- 1.023 **DECK.** A structure made primarily of wood or composite material that is attached or unattached to another structure and may be fastened to the ground (i.e. footings and support posts) or rest on the ground.
- 1.024 **DRIVE-IN RESTAURANT OR REFRESHMENT STAND.** Any place or premises principally used for the sale, dispensing or serving of food, refreshments or beverages in automobiles, including those establishments where customers may serve themselves and may eat or drink the food, refreshments or beverages either on or off the premises.
- 1.025 **DWELLING.** A building or portion thereof, but not including a mobile home, travel trailer or recreation vehicle, designed or used exclusively for residential occupancy, including one-family, two-family and multi-family dwelling units, but not including hotels, motels,, boarding or lodging houses.
- 1.026 **DWELLING UNIT.** A dwelling which consists of one or more rooms which are

arranged, designed or used as living quarters for one family only and includes individual bathrooms and complete kitchen facilities for the sole use of the residing family.

- 1.027 **DWELLING, ONE-FAMILY.** A residential dwelling unit for occupancy by one (1) family only.
- 1.028 **DWELLING, TWO-FAMILY.** A building containing two dwelling units for occupancy by not more than two (2) families.
- 1.029 **DWELLING, MULTIPLE-FAMILY.** A building containing more than two (2) dwelling units for occupancy by more than two (2) families.
- 1.030 **ESSENTIAL SERVICES.** The erection, alteration or maintenance, by public utilities or municipal or other governmental agencies, of underground or overhead gas, electrical, steam or water transmission or distribution systems, collection systems communications systems, supply or disposal systems, including poles, wires, drains, sewers, pipes, conduits, cables, traffic signals, hydrants, and other similar equipment and accessories in connection therewith, reasonably necessary for the furnishing of adequate service by such public utilities or municipal or other governmental agencies or for the public health, safety, or general welfare, but not including buildings or telecommunications towers.
- 1.031 **FAMILY.** One or more persons occupying a dwelling unit and living as a single housekeeping unit, whether or not related to each other by birth, adoption or marriage, but not including any unrelated group consisting of more than five (5) persons, as distinguished from a group occupying a boarding house, lodging house or similar group living quarters as herein defined.
- 1.032 **FARM.** An area which is used for the growing of the usual farm products such as vegetables, fruit, trees and grain and their storage on the area. The term "farming" includes the operating of such an area for one or more of the above uses, including the necessary accessory uses for treating or storing the products; provided that the operation of any such accessory uses shall be secondary to that of the normal farming activities. The area may also be used for the raising thereon of the usual farm poultry and farm animals, but such use shall not include the slaughtering and processing of poultry or animals except for consumption by the person or persons owning or operating the farm.
- 1.033 **FLOOR AREA** (for determining off-street parking and loading requirements), The sum of the gross horizontal a-areas of The several floors of the building, or portions thereof, devoted to a particular use, including accessory storage area located within selling or working space such as counters, racks or closets, and any basement floor area devoted to retailing activities, to the production or processing of goods, or to business or professional offices, However, "floor area" for the purpose of measurement for off-street parking spaces shall not include: floor area devoted to off-street parking or loading facilities, including aisles, ramps, and maneuvering space, or basement floor area other than area devoted to retailing activities, to the production or processing of goods, or to business or professional offices.
- 1.034 **FRONTAGE.** All property on one side of a street between two intersecting streets (crossing or terminating), measured along the right-of-way line of the street, or if the street is a dead-end, then all of the property abutting on one side between an intersecting street and the dead-end of the street. (See "Lot Line, Front"; and "Yard, Front")
- 1.035 **GARAGE, PRIVATE.** An accessory building or a portion of the principal building

used for the storage of vehicles owned and used by the occupants of the principal building.

- 1.036 **GARAGE, PUBLIC.** A building or portion thereof, other than a private garage, for equipping, servicing, repairing, hiring, selling or storing vehicles.
- 1.037 **GRADE.** The established elevation of the ground surface at the center of the wall adjoining the street for structures adjoining one (1) street only; the average of the established elevations of the ground surfaces at the centers of all walls adjoining streets for structures adjoining more than one (1) street; or the average level of the ground surfaces at all exterior walls of the structure for structures not adjoining any street. The wall approximately parallel to and not more than five (5) feet from a street line is to be considered as adjoining any street. (See Appendix A)
- 1.038 **GRADE, FINISHED.** The final elevation of the ground surface after development.
- 1.039 **HOME OCCUPATION.** Any occupation or activity carried on by a member or the immediate family residing on the premises in connection with which no sign or display is used that will indicate from the exterior that the building is being utilized in part for any purpose other than that of a dwelling, no commodity is sold upon the premises not produced on the premises, no person is employed in connection with the home occupation other than a member of the immediate family residing on the premises, and no mechanical equipment is used except of a type that is similar in character to that normally used for purely domestic or household purposes.
- 1.040 **HOTEL.** A building in which lodging and food service are provided and offered to the public for compensation and in which ingress and egress to and from all rooms is made through an inside lobby or office supervised by a person in charge at all hours. As such, it is open to the public, in contradistinction to a boarding house, lodging house or multi-family dwelling as herein separately defined.
- 1.041 **INSTITUTION.** A non-profit corporation or a non-profit establishment for public use.
- 1.042 **JUNKYARD.** A lot, land, or structure, or part thereof, used primarily for the collection, storage and sale of waste paper, rags, scrap metal, or other discarded materials, or for the collection, storage, dismantling and salvaging of machinery or vehicles not in running condition or for the sale of parts thereof. The term "junkyard" shall include automobile wrecking yards.
- 1.043 **KENNEL.** Any lot or premises on which are kept four (4) or more dogs more than six (6) months of age for compensation or sale.
- 1.044 **LAUNDROMAT.** An establishment providing home-type washing, drying, and/or ironing machines for rent to be used by customers on the premises.
- 1.045 **LOADING AND UNLOADING SPACE, OFF-STREET.** A hard surfaced area of an , other than a street or a public way, the principal use of which is for the standing, loading, and unloading of motor vehicles, tractors and trailers to avoid undue interference with the use of public streets or alleys by other motor vehicles.
- 1.046 **LODGING HOUSE.** (See Boarding House)

- 1.047 **LOT.** A parcel of land which is either a “lot of record” or a “Zoning lot”.
- 1.048 **LOT AREA.** The total horizontal area included within lot lines.
- 1.049 **LOT DEPTH.** The mean horizontal distance between the front and rear lot lines of a lot measured within the lot boundaries. (See Appendix A)

- 1.050 **LOT LINE, FRONT.** That boundary of a lot which is along a public street, or, where no public street exists, is along a private road; in the case of an interior lot, it is the line separating such lot from the public street or private road; in the case of a corner lot, it is the line separating such lot from the street or private road with the narrowest street or private road frontage; and in the case of a through lot, it is the line separating such lot from both streets or private roads. (See Appendix A)
- 1.051 **LOT LINE, REAR.** That boundary of a lot which is-most distant from and is or is most nearly parallel to the front lot line. In the case of a pointed or irregular lot, it shall be an imaginary line parallel to and farthest from the front lot line not less than ten (10) feet long and wholly within the lot. (See Appendix A)
- 1.052 **LOT LINE, SIDE.** Any boundary of a lot which is not a front lot line nor a rear lot line. (See Appendix A)
- 1.053 **LOT OF RECORD.** A lot which exists as shown or described on a plat or deed in the local registry of deeds in Rock Island or Henry Counties.
- 1.054 **LOT WIDTH.** Lot width shall be defined as follows: (See "Yard, Front").
- A. For a lot with a straight front lot line or a curved front lot line having a radius of curvature greater than 50', the lot width shall be the horizontal distance between the side lot lines measured at the front lot line.
 - B. For a lot with all or a part of its front lot line curved with the radius (or radii) of curvature of the front lot line being 50' or less, the lot width shall be the horizontal distance between the side lot lines measured at the front setback line.
 - C. For a corner lot with two right-of-way lines terminating at a tangent to a curve having a minimum radius of 15', the lot width shall be the horizontal distance between the side lot lines measured at the front lot line.
 - D. For a panhandle lot with a minimum frontage width of 20', the lot width shall be the horizontal distance between the side lot lines measured at the entrance to the build able portion of the lot.
- 1.055 **LOT, CORNER.** A lot which has at least two (2) adjacent sides abutting or their full length on a street, provided the interior angle at the intersection of such two (2) sides is less than one hundred thirty-five (135) degrees, (See Appendix A)
- 1.056 **LOT, INTERIOR.** Any lot other than a corner lot which abuts on only one (1) frontage street. (See Appendix A)
- 1.057 **LOT, REVERSED CORNER.** A corner lot, the rear of which abuts upon the side of another lot, whether across an alley or not. (See Appendix A)
- 1.058 **LOT, THROUGH.** A lot having frontage on two (2) parallel or approximately parallel streets and which is not a corner lot. On a through lot, both street lines shall be deemed front lot lines. (See Appendix A)
- 1.059 **LOT, ZONING.** A single tract of land located within a single block, which, at the time of filing for a building permit, is designated by its owner or developer as a tract to be used, developed or built upon as a unit under single ownership or control. Therefore, a "zoning lot" may or may not coincide with a "lot of record".
- 1.060 **MOBILE HOME.** A mobile living unit for permanent human occupancy, as distinguished from a travel trailer. (See "Travel Trailer and Recreational Vehicle")

- 1.061 **MOBILE HOME PARK.** A parcel of land which has been designated, improved or is intended to be used or rented for occupancy by one (1) or more mobile homes and is licensed as such by an appropriate licensing authority.
- 1.062 **MOTEL.** A building or a group of buildings used primarily for the temporary residence of motorists and/or travelers.
- 1.063 **NONCONFORMING BUILDING OR STRUCTURE.** Any building or structure which does not comply with all the regulations of the Ordinance and of any amendment hereto.
- 1.064 **NONCONFORMING LOT.** A lot of record existing in 1974 at the date of the passage of the original Zoning Ordinance of the Village of Coal Valley which does not have the minimum width or contain the minimum area for the zoning district in which it is located.
- 1.065 **NONCONFORMING USE.** Any use of land, buildings or structures, lawful at the time of the enactment of the original Zoning Ordinance of the Village of Coal Valley adopted in 1974, which does not comply with all of the regulations of the Ordinance and of any amendment hereto governing use for the zoning district in which such use is located.
- 1.066 **NURSING HOME, CONVALESCENT HOME OR SHELTERED CARE HOME.** An extended or intermediate care facility license or approved by an appropriate authority to provide full-time convalescent or continuing care to individuals who, by reason of advanced age, chronic illness or infirmity, are unable to care for themselves.
- 1.067 **OCCUPANCY PERMIT.** A required permit allowing occupancy of a building or structure after it has been determined that the building or structure meets all requirements of applicable ordinances.
- 1.068 **OCCUPATION, HOME.** See Home Occupation.
- 1.069 **OFFICIAL MAP.** A map, established by the Subdivision Ordinance of the Village.
- 1.070 **OFFICIAL NEWSPAPER.** That newspaper designated by the Village and as the medium for publication of all legal notices.
- 1.071 **OPEN SALES LOT, RENTAL LOT OR STORAGE LOT.** Any land used or occupied for the purpose of buying, selling, renting or storing new or used passenger cars or trucks, motor scooters, motorcycles, boats, trailers, aircraft, recreational or camping equipment or other commodities.
- 1.072 **OPEN SPACE.** Any parcel or area of land or water essentially unimproved and set aside, dedicated, designated or reserved for public or private use or enjoyment, or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space.
- 1.073 **ORDINANCE.** The Zoning Ordinance of the Village and referred to herein as the "Ordinance."
- 1.074 **PARKING SPACE, OFF-STREET.** An area designated for the temporary storage of a motor vehicle, which is directly accessible to an access aisle, is not located on a dedicated street right-of-way, and is designated and constructed in accordance with the provisions of the Ordinance.

- 1.075 **PLANNING COMMISSION.** The Planning Commission of the Village established by Village Code of Ordinances, Title I–Village Governmental Organizations and Operations, Division III – Boards and Commissions, Chapter 1– Planning Commission.
- 1.076 **PORCH.** A horizontal flat surface made of a suitable building material that is free standing or attached to a structure for purposes of providing a landing at entrances/exits to buildings and houses.
- 1.077 **RENTAL LOT.** See “Open Sales Lot, Rental Lot or Storage Lot”
- 1.078 **RECREATION VEHICLE.** See “Travel Trailer and Recreation Vehicle”
- 1.079 **REFRESHMENT STAND.** See Drive-In Restaurant.
- 1.080 **RIGHT-OF-WAY.** A strip of land occupied or intended to be occupied by a street, road, walkway, crosswalk, railroad or other such use. Every right-of-way established under the Subdivision Ordinance of the Village and shown on a Final Plat of Subdivision is separate and distinct from the lots adjoining such right-of-way and is not included within the dimension of the areas of such lots.
- 1.081 **SEPTIC SYSTEM.** An individual subsurface sewage treatment facility approved by appropriate state and/or local authorities designed to function on an individual lot basis.
- 1.082 **SETBACK LINE.** A line denoting the minimum distance required from the front, side and rear yard lot lines as provided in each zoning district. Front setback lines shall be twenty-five (25) feet from the property lines. Setbacks are also determined from Public Right-of-Way lines.
- 1.083 **SEWERAGE SYSTEM, CENTRAL.** A sewage treatment facility approved by appropriate state and/or local authorities designed to serve two or more lots.
- 1.084 **SHED.** See Building.
- 1.085 **SHELTERED CARE HOME.** (See “Nursing Home, Convalescent Home or Sheltered Care Home)
- 1.086 **SIGN.** An identification, description, display or illustration which is affixed to, or represented directly or indirectly upon, a building, structure or piece of land, and which directs attention to any object, product, place, activity, person, institution, organization or business on the premises. However, a “sign” shall not include any display of official court or public office notices, nor shall it include the flag, emblem, or insignia of a nation, political unit, school or religious group. (See “Advertising Device”)
- 1.087 **SIGN.** Also see Billboards. A device made of wood, metal, paper, fabric, and/or plastic or other materials that is used to bring notice to an event, a business, or a property for sale/rent, or recognition.
- 1.088 **SIGN - ON-SITE.** Also see “Sign”. A sign located on a specific property and can also be an advertising device.
- 1.089 **SIGN - OFF-SITE.** Also see “Advertising Device”. A sign located on property for which the message on the sign is not directed or related to.
- 1.089a **SIGN - ON BUILDING.** Also see “Sign”. A sign affixed to a building housing the business for which the sign is used to identify and/ or advertise the business.

- 1.089b **SIGN - MONUMENT.** Also see “Sign”. A vertical sign used to identify multiple businesses located on the same property.
- 1.090 **STEP.** Made of wood, concrete, composite material, metal, stone, brick or other materials that is used to gain access to a building, a house, a garage, a shed, a deck or a porch.
- 1.091 **STORAGE LOT.** See Open Sales Lot, Rental Lot or Storage Lot.
- 1.092 **STORY, FULL.** That portion of a building, other than a basement, included between the surface of any floor and the surface of the, floor next above it or, if there be no floor above it, then the space between the floor and the ceiling next above.
- 1.093 **STORY, HALF.** A partial story under a gable, hip or gambrel roof, the wall plates of which on at least two opposite exterior walls are not more than four (4) feet above the floor of such story; provided however, that any partial story used for residential purposes shall be deemed a full story.
- 1.094 **STREET.** A public right-of-way which provides a channel for vehicular and pedestrian movement and may provide vehicular and pedestrian access to properties adjacent to it, and which may also provide space for the location of essential services.
- 1.095 **STRUCTURES.** Anything constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground. Among other things, structures include buildings, mobile homes, sheds, decks, walls, fences, satellite dishes, antennas, advertising devices and signs.
- 1.096 **STRUCTURAL ALTERATIONS.** Any change in the supporting members of a building, such as bearing walls or partitions, columns, beams or girders, and any change in the roof or in the exterior walls, excepting minor repairs and regular maintenance and such repair or replacement as may be required for the safety of the building or its occupants.
- 1.097 **SUBURBAN ESTATE.** A parcel of land that is not greater than five (5) acres to be used for any purpose other than as a single family residence location, will be zoned as R-1 One Family Residence.
- 1.098 **TRAVEL TRAILER AND RECREATION VEHICLE.** A vehicular, portable structure built on a chassis,, designed-to be used as a temporary dwelling for travel and recreational purposes (as distinguished from a mobile home), having a body width not exceeding eight (8) feet.
- 1.099 **USE.** The purpose or activity for which the land or building thereon is designed, arranged or intended, or for which it is occupied or maintained.
- 1.100 **USE, ACCESSORY.** A use on the same lot with a principal use which, by its nature, is customarily incidental and subordinate to the principal use,
- 1.101 **USE, PRINCIPAL.** The main use of land or buildings as distinguished from a subordinate or accessory use. A “principal use” may be a “permitted use” or a “special use”.
- 1.102 **USE, PERMITTED.** A use which may be lawfully-established in a particular district or districts, provided it conforms with all requirements, regulations and standards of such district.
- 1.103 **USE, SPECIAL.** A use which because of its unique characteristics, cannot be

properly classified as a permitted use in a particular district or districts. Such “special” uses may be permitted by “special use permits in accordance with the provisions of the Ordinance.

- 1.104 **VILLAGE.** The Village of Coal Valley, Illinois.
- 1.105 **YARD.** The open space at finished grade unoccupied by any structure or portion of a structure, other than projections of uncovered steps, provided, however, that fences, walls, poles, posts and other customary yard accessories, ornaments, and furniture may be permitted in any such open space subject to height and visibility requirements. In measuring a yard for the purpose of determining the width of a side yard, or the depth of a front yard or a rear yard, the minimum horizontal distance between the lot line and the principal building’s exterior walls or porch and/or deck closest to the lot line shall be used.
- 1.106 **YARD, FRONT.** Also see “Yard”. The area extending across the full width of the lot and lying between the front lot line and the principal building. The front yard shall be measured by a line at right angles to the front lot line, or in the case of a curved front lot line by a parallel line. In the case of a corner lot, the owner may determine which of the yards not abutting on the street will be considered rear and side yards. (See Appendix A)
- 1.107 **YARD, REAR.** Also see “Yard”. The area extending across the full width of the lot which is most distant from the front yard and which is the required minimum horizontal distance between the rear lot line and the rear of the principal building. (See Appendix A)
- 1.108 **YARD, REQUIRED.** Also see “Yard”. The minimum horizontal distance between the principal building on a lot and the front rear and/or side lot line.
- 1.109 **YARD, SIDE.** Also see “Yard”. The area between the principal building and the side lot line, extending from the required front yard to the required rear yard, and being the minimum horizontal distance required between a side lot line and the side of the principal building. (See Appendix A)
- 1.110 **YARD, TRANSITIONAL.** The area that must be provided on a zoning lot in a business or an industrial district which adjoins a zoning lot in a residential district. (See Appendix A)
- 1.111 **ZONING MAP.** The map or maps incorporated into the Ordinance as a Part hereof designating zoning districts.
- 1.112 **ZONING OFFICER.** The person appointed to occupy the office created herein, in which office is vested the chief administrative and enforcement duties as outlined in the Ordinance.

ARTICLE III Establishment of District Zoning Map, Boundary interpretations, and Annexed Territory

Section 1. ESTABLISHMENT OF A DISTRICT.

For the purpose of the Ordinance, the Village is hereby organized into the following zoning districts:

- 1.001 Agricultural District
 “A-1” Agricultural District

- 1.002 Residence Districts
 “R-1” One-Family Residence District
 “R-2” Two-Family Residence District
 “R-3” Multiple-Family Residence District
 “R-4” Mobile Home Park District

- 1.003 Commercial Districts
 “O-1” Office District
 “B-1” Limited Business District
 “B-2” General Business District

- 1.004 GENERAL BUSINESS DISTRICTS - ADULT REGULATED USE.
 “B-2 (A)” General Business District, Adult Regulated Use. This B-2 (A) would overlay the Village’s designated area within its I-1 Light Industrial Districts for adult regulated use, so that the I-1 district could be used for any qualifying light industrial use, but it would be the only area in which an adult use could be located.

- 1.005 Industrial Districts
 “I-1” Industrial District

Section 2. ZONING MAP.

The location and boundaries of the zoning districts established by the Ordinance are set forth on the map entitled “Zoning Map” which is herein and hereby made a part of the Ordinance. Such map, together with everything shown thereon and all amendments thereto, shall be as much a part of the Ordinance as though fully set forth and described herein.

Section 3. RULES FOR INTERPRETATION OF DISTRICT BOUNDARIES.

Where uncertainty exists with respect to the precise location of any of the aforesaid districts shown on the Zoning Map, the following rules shall apply:

- 3.001 Boundaries shown as following or approximately following streets, highways or alleys shall be construed to follow the center lines of such streets, highways or alleys;

- 3.002 Boundaries shown as following or approximately following platted lot lines or other property lines shall be construed to be said platted lot lines or property lines.

- 3.003 Boundaries shown as following or approximately following railroad lines shall be construed to lie midway between the main tracks of such railroad lines.

- 3.004 Boundaries shown as following or approximately following the center lines of streams, rivers or other continuously flowing water courses shall be construed as

following the channel center line of such water courses taken at a mean low water mark,

- 3.005 Boundaries shown as following or closely following the Village limits shall be construed as following such limits.
- 3.006 Where the application of the aforesaid rules leaves a reasonable doubt as to the boundaries between two districts, the regulations of the more restrictive district shall govern the entire parcel in question, unless otherwise determined by the Board of Appeals in accordance with provisions contained in Section XVIII – Administration, of this Ordinance.
- 3.007 Whenever any street, alley or other public easement is vacated, the district classification of the property to which the vacated portions of land accrue shall become the classification of the vacated land,

Section 4. ANNEXED TERRITORY.

All territory which may hereafter be annexed to the Village shall be classified automatically as being in an “R-1” One-Family Residence District until such classification shall have been changed by amendment of the Ordinance as provided hereafter, except that property annexed under the terms of a valid pre-annexation agreement shall be classed in accordance with the terms of such pre-annexation agreement.

ARTICLE IV General Provisions

Section 1. ZONING AFFECTS EVERY STRUCTURE AND USE.

Except as hereinafter provided, no building or structure shall be erected, constructed, occupied, moved, altered or repaired, nor shall any land be occupied or used except in conformity with the regulations hereinafter specified for the District in which it is located.

Section 2. MINIMUM STREET FRONTAGE, LOT OF RECORD, NUMBER OF BUILDINGS ON A LOT, AND LOTS UNSERVED BY SEWER OR WATER.

- 2.001 Minimum Street Frontage. No lot shall be created after the adoption of the Ordinance unless it abuts at least twenty (20) feet on a public street and has access thereto. Unless said lot(s) are on a private road that has suitable access to a public street.
- 2.002 Lot of Record. In any Residence District a single-family dwelling may be established on a lot of record in existence at the time of enactment of the Ordinance regardless of the size of the lot, provided all other requirements of the Ordinance are complied with. However, where two (2) or more undeveloped lots of record in existence prior to the adoption of the Ordinance are held in common ownership, they shall be considered as a single zoning lot for purposes of the Ordinance, unless each lot has an area of at least ninety (90) percent of the required minimum lot area for the District in which it is located.
- 2.003 Number of Buildings on a Zoning Lot. Except in the case of planned unit developments, not more than one principal building shall be located on a zoning lot.
- 2.004 Lots Unserved by Sewer and/or Water. In any Residential District where neither central water supply nor central sewerage services are reasonably available, one (1) single-family detached dwelling may be constructed on each lot, provided the lot area and width are a minimum of twenty thousand (20,000) square feet, ;and one hundred (100) feet respectively; further provided, however, that where either a public water supply system or a public sanitary sewer system is accessible, these requirements shall be ten thousand (10,000) square feet, and seventy-five (75) feet respectively, except as hereinafter specified.

Section 3. ACCESSORY BUILDINGS.

- 3.001 TIME OF CONSTRUCTION. No accessory buildings or structures shall be constructed on any lot prior to the time of construction of the principal building to which it is accessory, unless such accessory building is erected in preparation for the erection of the principal building and after the building permit has been issued for the principal building.
- 3.002 PERCENTAGE OF REQUIRED YARD OCCUPIED. No detached accessory buildings shall occupy, more than fifty (50) percent of the area of a required yard.
- 3.003 HEIGHT OF ACCESSORY BUILDINGS. No detached accessory building or structure shall-exceed the height of the principal building or structure.

- 3.004 LOCATION ON LOT. No accessory building or structure shall be erected in any front yard. Accessory buildings shall be no closer than five (5) feet from all lot lines of adjoining lots which are in any "R" District and at least six (6) feet from alley lines. If an accessory building is erected on either side of the principal building, it shall not encroach upon the side-yard requirement,
- 3.005 RATIO OF BUILDING LENGTH TO WIDTH. No accessory building shall be constructed in residential districts where the length exceeds the width by more than 75% of the width. Fractional measurements can be rounded to the next higher footage.
- 3.006 NUMBER AND SIZE. In any residential District, the number of accessory buildings on any lot shall be limited to two (2) with one (1) accessory building not exceeding 75% of the square footage of the principal building at grade and two (2) accessory buildings not exceeding 100% of the square footage of the principal building at grade.

Section 4. REQUIRED YARD CANNOT BE REDUCED OR USED BY ANOTHER BUILDING.

No lot, yard, court, parking area or other open space shall be so reduced in area or dimension as to make any such area or dimension less than the minimum required by the Ordinance, and, if already less than the minimum required, it shall not be further reduced. No required yard provided around any building or structure shall be included as part of any yard required for another building or structure.

Section 5. CONVERSION OF DWELLINGS.

The conversion of any building into a dwelling, or the conversion of any dwelling so as to accommodate an increased number of dwelling units, shall be permitted only within a district in which a new building for similar occupancy would be permitted under the Ordinance, and only when the resulting occupancy will comply with the requirements governing new construction in such district with respect to minimum lot size, lot area per dwelling unit, dimensions of yards and other open spaces, and off-street parking. Each conversion shall be subject also to such further requirements as may be specified hereinafter within the article applying to such district.

Section 6. TRAFFIC VISIBILITY AT CORNER LOTS.

In all Zoned Districts on any corner lot, no fence, structure, or planting shall be erected or maintained within twenty (20) feet of the "corner" so as to interfere with traffic visibility across the corner.

Section 7. ESSENTIAL SERVICES.

Essential services shall be permitted as authorized and regulated by law and other ordinances of the Village, it being the intention hereof to exempt such essential services from the application of the Ordinance.

Section 8. VALIDITY OF EXISTING BUILDING PERMITS.

Nothing contained herein shall require any change in the overall layout, plans, construction, size or designated uses of any building or structure, or part thereof, for which the official approvals and required building permits have been granted before the enactment of the Ordinance; provided, however, that the construction of such buildings or structures shall have been started prior to the effective date of the Ordinance and the completion thereof carried on in a normal manner within the subsequent six (6) months period, except for reasons beyond the builders' control.

Section 9. FLOOD-HAZARD AND OBSTRUCTION OF WATER COURSE CHANNELS.

- 9.001 Flood Hazard. In any District which is subject to flood hazard, a building permit or any structure, exclusive of signs, shall be issued only when the bottom of the floor joists of the first floor of such structure are above the elevation subject to periodic flooding or where such hazard has been eliminated to the satisfaction of the Village Engineer by a protective wall or other means.
- 9.002 Obstruction of Water Course Channels. To prevent encroachment upon or construction in river or creek channels, and to avoid obstruction to the natural conveyance of water flow in such rivers, creeks and other natural water courses, there shall not be placed, erected or located within the banks of such water courses any building's or structures, piers or marinas or retaining or revetment walls, except properly authorized bridges or dams. In addition there shall not be placed any filling of earth, ashes, rubbish, rubble, concrete, masonry, or any other kind of fill within the banks of such water courses. However, this provision may be waived if the structure or fill is approved by the Village Engineer, and, where applicable, the County Soil and Water Conservation District, and/or the U.S. Army Corps of Engineers, and/or the Illinois Department of Transportation as well as other concerned agencies.

Section 10. LANDSCAPE REQUIREMENTS (SITE PLAN)

1. Site Plans. If a building permit is applied for an administrative site plan approval will be required. Site plans are not required for single family and two family residences.
2. Site Plan Review. An application for a building or parking lot permit shall promptly be forwarded to the Zoning Officer. Review must be completed within fifteen (15) days of the receipt by the village of a complete site plan review application. If, in the judgment of the Zoning Officer, the site plan review application does not contain sufficient information to enable the Zoning Officer to properly carry out his/her responsibilities, the Zoning Officer may request additional information from the applicant. In that event, the 15-day period previously referred to shall be suspended, pending the receipt of all information requested by the Zoning Officer.
3. Landscaping and Screening Requirements. The provisions of this section for the installation and maintenance of landscaping and screening requirement are intended to protect the character and stability of residential, commercial, industrial and conservation areas, and to enhance the aesthetic and visual image of the village.
 - A. The grounds surrounding a building development will be landscaped with grass, trees, bushes and scrubs so as to enhance the property.
 - B. Parking lots of five (5) or more spaces shall be set back ten feet (10') from the front property line(s). Landscaping requirements with the front yard(s) include that the yard be seeded or sodded with grass. Rock cover may be used, but may not exceed twenty percent (20%) of the landscaped front yard setback. In addition, one canopy tree for every five (5) parking spaces and a minimum for five percent (5%) ground cover landscape coverage of shrubs and evergreens/conifers shall be required.

The ten-foot (10') front yard setback may be reduced to five (5') if there is a continuous twenty-six inch (26") solid wall/fence or shrubbery hedge provided. Sodding, rock ground cover, canopy tree and ground cover

landscape coverage requirements will still be applied if a solid wall/fence is provided. Sodding and/or rock ground requirements will still be applied if a shrubbery fence is provided.

- C. Parking lots of five (5) or more spaces shall be setback five feet (5') from side and rear property lines. Landscaping requirements within the side and rear yards include that the yard be seeded or sodded with lawn. Rock ground cover may be used, but may not exceed twenty percent (20%) of the landscaped side and rear yard setback. In addition, one canopy tree for every five (5) parking spaces and a minimum of five percent (5%) ground landscape coverage of shrubs and evergreens/conifers shall be required.

When a side and/or rear yard is adjacent to a residential use, a continuous four foot (4') solid wall/fence or shrubbery hedge shall also be provided with the five foot (5') setback yard. If a four-foot (4') shrubbery hedge is provided, canopy tree and ground landscape coverage shall not be required.

- D. Wherever landscaping and screening requirements may interfere with traffic vision, the height and placement shall be determined by the Zoning Officer.
- E. Trees and other landscaping shall be of a species, which are hardy to the area and have measured diameters of such identified in the Minimum Standards of Plantings section of this appendix. Prohibited trees are identified in Section F.
- F. Subject to the approval of the Zoning Officer, alternate landscaping plans may be substituted for consideration.
- G. A landscaping/site plan will be required to be submitted for staff review prior to issuing a building permit. The following basic standards should be set:
 - a. Drawn to scale;
 - b. Identify location of landscaping or other features;
 - c. Specify nature of materials (i.e. species, variety, etc.);
 - d. Specify number of plants, shrubs, trees, etc., by species.
- H. Landscaping and screening must be maintained in good condition, free of refuse and debris, and provide a healthy, neat and orderly appearance at least equal to the original installation. It shall be owner's responsibility to see that the landscaping is maintained.

4. Appeal Process. If the Zoning Officer approves a site plan, a building permit may then be issued. If the Zoning Officer does not approve a site plan, the applicant may appeal the decision to the Planning & Zoning Commission. A notice of appeal must be filed with the Planning & Zoning Commission no later than fifteen (15) days after receipt by the applicant of the decision.

5. Minimum Standards for Plantings.

- A. Canopy Trees. Two inches (2") diameter, six inches (6") above ground level, and ten feet (10') in height when planted.
- B. Understory Tree. One-inch (1") diameter, six inches (6") above ground level and six feet (6') in height when planted.
- C. Shrubs. Twenty-four inches (24") in height when planted; forty percent

(40%) or more must reach a mature height of six feet (6') or more.

D. Evergreens/Conifers. Two inches (2") in diameter, six inches (6") above ground level, and six feet (6') in height when planted. Twenty feet (20') minimum height at maturity.

6. Prohibited Trees. The following weak-wooded trees and generally undesirable trees for urban conditions shall be prohibited for use in meeting any of the landscaping/screening requirement for off-street parking areas and/or buffer yard requirements:

- A. Ailanthus (tree of heaven)
- B. Box Elder
- C. European Mountain Ash
- D. European White Birch
- E. Gingko, fruit bearing
- F. Hawthorne
- G. Mulberry
- H. Pin Oak
- I. Poplar
- J. Purple-Leaf Plum
- K. Russian Olive
- L. Siberian Elm
- M. Silver Maple
- N. Sweet Gum
- O. Willow
- P. White Ash

7. Maintenance of Landscaping and Screening. Landscaping must be maintained in good condition, free of refuse and debris and provide a healthy, neat and orderly appearance at least equal to the original installation. It shall be the owner's responsibility to see that the landscaping is maintained.

Section 11. STORAGE BOXES, TENTS AND CANOPIED STORAGE SHELTERS.

- 1. This provision shall control the use of storage boxes (i.e. such as PODS), tents (i.e. fabric free standing structures for car/material storage/parking), and canopied storage shelters (i.e. free standing open sided, metal or wood covered structures for car parking/storage) within the Village.
- 2. Storage boxes can be used within "R" zoned areas of the Village for a period not to exceed 30 days in any one-year period.
- 3. Storage tents and canopied storage shelters will not be permitted in any "R" zoned area of the Village.
- 4. Exceptions. On property of 15 contiguous acres or more, storage boxes, tents and canopied shelters may be placed or erected but not closer than 250 feet from adjacent property lines.

ARTICLE V “A-1” Agricultural District

Section 1. PRINCIPAL USES.

Property and buildings in the “A-1” Agricultural District shall be used only for the following purposes:

- 1.001 One-family detached dwellings.
- 1.002 Farming, providing that no building in which farm animals and poultry are housed shall be within three hundred (300) feet of any lot in any “RI’ District or any lot occupied by a dwelling other than a farm, dwelling,
- 1.003 Stables and kennels, provided that no such stables or kennels shall be within three hundred (300) feet of any lot in an “RI’ District or any lot occupied by a dwelling.
- 1.004 Truck and flower gardening and nurseries.
- 1.005 Accessory uses and buildings incidental to and on the same zoning lot as a principal use, including:
 - a. Garages and carports.
 - b. Gardens and greenhouses.
 - c. Home occupations.
 - d. Tool houses, sheds and other buildings for the storage of equipment and supplies.
 - e. Off-street parking in accordance with Article XIV.
- 1.006 Testing of farm and construction equipment, and maintenance and repair to same.

Section 2. SPECIAL USE.

Property and buildings in the “A-1” Agricultural District may be used for the following purposes upon review and approval by the-Board of Appeals in accordance with Article XVIII:

- 2.001 CEMETERIES.
- 2.002 CULTURAL INSTITUTIONS as follows:
 - a. Art galleries.
 - b. Libraries.
 - c. Museums.
- 2.003 EDUCATIONAL INSTITUTIONS as follows:
 - a. Colleges and universities, including structures and facilities necessary to the operation of a college or university.
 - b. Elementary and high schools.
 - c. Schools for handicapped children.
 - d. Day nurseries and other schools for the care and instruction of children.
- 2.004 EXCAVATIONS FOR SPECIFIED PURPOSES as follows:
 - a. Artificial lakes.
 - b. Borrow pits.
 - c. Topsoil removal,
 - d. Filling of land.
- 2.005 LIVING QUARTERS FOR PERSONS EMPLOYED ON THE PREMISES.

- 2.006 PLANNED DEVELOPMENTS, RESIDENTIAL.
- 2.007 PUBLIC UTILITY, SERVICE AND EQUIPMENT FACILITIES AND TELECOMMUNICATIONS TOWERS.
- 2.008 GOVERNMENTAL OFFICES, FACILITIES AND STRUCTURES.
- 2.009 RECREATIONAL FACILITIES as follows:
 - a. Country clubs.
 - b. Golf courses.
 - c. Parks, playgrounds and community buildings. Riding academies.
 - e. Swimming pools and clubs,
 - f. Tennis courts and clubs.
- 2.010 RELIGIOUS INSTITUTIONS as follows:
 - a. Churches, chapels, temples, synagogues and other similar establishments of religion,
 - b. Convents, monasteries, seminaries and other similar religious institutions.
 - c. Rectories, parsonages, and similar dwellings.
- 2.011 ACCESSORY uses incidental to and on the same zoning lot as the special use.

Section 3. HEIGHT REGULATIONS.

No building or structure shall exceed three (3) stories or thirty-five (35) feet in height.

Section 4. MINIMUM LOT AREA, FRONTAGE AND YARD REQUIREMENTS.

4.001 MINIMUM LOT AREA. – 5 Acres

4.002 MINIMUM FRONTAGE AND YARD REQUIREMENTS.

		Front	Side	Rear
	Lot	Yard	Yard	Yard
	<u>Width</u>	<u>Depth</u>	<u>Width</u>	<u>Depth</u>
a.	One-family dwellings.	125 ft.	50 ft.	20 ft 50 ft.
b.	Other principal uses.	300 ft.	100 ft.	40 ft. 100 ft

ARTICLE VI “R-1” One-Family Residence District

Section 1. GENERAL DESCRIPTION.

This is the most restrictive of the residential districts. The principal use of the land is for single-family dwellings and related recreational, religious and educational facilities normally required to provide an orderly and attractive residential area. These residential areas are intended to be defined and protected from encroachment by uses which are not appropriate to a residential environment. Internal stability, attractiveness, orderliness and efficiency are encouraged by providing for adequate light, air and open space for dwellings and related facilities and through consideration of the proper functional relationship of the different uses.

Section 2. PRINCIPAL USES.

Property and buildings in the “R-1” One-Family Residence District shall be used only for the following purposes:

- 2.001 One-family detached dwellings.
- 2.002 Accessory uses and buildings incidental to and on the same zoning lot as a principal use, including:
 - a. Garages and carports.
 - b. Gardens and greenhouses, private and noncommercial.
 - c. Home occupations.
 - d. Tool houses, sheds and other buildings for the storage of domestic supplies.
 - e. Off-street parking in accordance with Article XIV.

Section 3. SPECIAL USES.

Property and buildings in the “R-1” One-Family Residence District may be used for the following purposes upon review and approval by the Board of Appeals in accordance with Article XVIII:

- 3.001 CEMETERIES.
- 3.002 CULTURAL INSTITUTIONS. as follows:
 - a. Art galleries.
 - b. Libraries.
 - c. Museums.
- 3.003 EDUCATIONAL INSTITUTIONS. as follows:
 - a. Colleges and universities, including structures and facilities necessary to the operation of a college or university.
 - b. Elementary and high schools.
 - c. Schools for handicapped children.
 - d. Day nurseries and other schools for the care and instruction of children.
- 3.004 EXCAVATIONS FOR SPECIFIED PURPOSES. as follows:
 - a. Artificial lakes.
 - b. Borrow pits.
 - c. Topsoil removal,
 - d. Filling of land.
- 3.005 LIVING QUARTERS FOR PERSONS EMPLOYED ON THE PREMISES

- 3.006 PLANNED DEVELOPMENTS, RESIDENTIAL
- 3.007 PUBLIC UTILITY, SERVICE AND EQUIPMENT AND TELECOMMUNICATIONS TOWERS.
- 3.008 GOVERNMENTAL OFFICES, FACILITIES AND STRUCTURES.
- 3.009 RECREATIONAL FACILITIES as follows:
 - a. Country clubs.
 - b. Golf courses.
 - c. Parks, playgrounds and community buildings.
 - e. Swimming pools and clubs,
 - f. Tennis courts and clubs.
- 3.010 RELIGIOUS INSTITUTIONS as follows:
 - a. Churches, chapels, temples, synagogues and other similar establishments of religion,
 - b. Convents, monasteries, seminaries and other similar religious institutions.
 - c. Rectories, parsonages, and similar dwellings.
- 3.011 ACCESSORY uses incidental to and on the same zoning lot as the special use.

Section 4. HEIGHT REGULATIONS.

No building or structure shall exceed three (3) stories or thirty-five (35) feet in height.

Section 5. MINIMUM LOT AREA, FRONTAGE AND YARD REQUIREMENTS.

- 5.001 MINIMUM LOT AREA. All lots shall be served by a public water supply and a public central sewerage system and each lot shall have a minimum lot area of seventy-five hundred (7,500) square feet, except as specified in Article IV, Section 2.004,
- 5.002 MINIMUM FRONTAGE AND YARD REQUIREMENTS.

		Front	Side	Rear
	Lot	Yard	Yard	Yard
	<u>Width</u>	<u>Depth</u>	<u>Width</u>	<u>Depth</u>
a.	One-family dwellings.	75 ft.	25 ft.	7.5 ft 30 ft.

ARTICLE VII “R-2” Two-Family Residence District

Section 1. GENERAL DESCRIPTION.

This residential district provides for a slightly higher-population density but with basic regulations similar to the “R-1” District. The principal use of land is for single and two-family dwellings and related recreational, religious, and educational facilities normally required to provide a balanced and attractive residential area. Internal stability, attractiveness, orderliness and efficiency are encouraged by providing for adequate light, air, and open space for dwellings and related facilities and through consideration of the proper functional relationship of the different uses.

Section 2. PRINCIPAL USES.

Property and buildings in the “R-2” Two-Family Residence District shall be used only for the following purposes:

- 2.001 ONE AND TWO FAMILY DWELLINGS.
- 2.002 ACCESSORY USES AND BUILDINGS INCIDENTAL TO AND ON THE SAME ZONING LOT AS A PRINCIPAL USE, INCLUDING:
 - a. Garages and carports.
 - b. Gardens and greenhouses, private and noncommercial,
 - c. Home occupations.
 - d. Tool houses, sheds and other buildings for the storage of domestic supplies,
 - e. Off-street parking in accordance with Article XIV.

Section 3. SPECIAL USES.

Property and buildings in the “R-2” Two-Family Residence District may be used for the following purposes upon review and approval by the Board of Appeals in accordance with Article XVIII:

- 3.001 CEMETERIES.
- 3.002 CULTURAL INSTITUTIONS as follows:
 - a. Art galleries.
 - b. Libraries.
 - c. Museums.
- 3.003 EDUCATIONAL INSTITUTIONS as follows:
 - a. Colleges and universities, including structures and facilities necessary to the operation of a college or university.
 - b. Elementary and high schools.
 - c. Schools for handicapped children.
 - d. Day nurseries and other schools for the care and instruction of children.
- 3.004 EXCAVATIONS FOR SPECIFIED PURPOSES as follows:
 - a. Artificial lakes.
 - b. Borrow pits.
 - c. Topsoil removal,
 - d. Filling of land.
- 3.005 LIVING QUARTERS FOR PERSONS EMPLOYED ON THE PREMISES.
- 3.006 PLANNED DEVELOPMENTS residential

- 3.007 PUBLIC UTILITY, SERVICE AND EQUIPMENT AND TELECOMMUNICATIONS TOWERS.
- 3.008 GOVERNMENTAL OFFICES, FACILITIES AND STRUCTURES.
- 3.009 RECREATIONAL FACILITIES as follows:
 - a. Country clubs,
 - b. Golf courses.
 - c. Parks, playgrounds and community buildings.
 - e. Swimming pools and clubs,
 - f. Tennis courts and clubs.
- 3.010 RELIGIOUS INSTITUTIONS as follows:
 - a. Churches, chapels, temples, synagogues and other similar establishments of religion,
 - b. Convents, monasteries, seminaries and other similar religious institutions.
 - c. Rectories, parsonages, and similar dwellings.
- 3.011 ACCESSORY uses incidental to and on the same zoning lot as the special use.

Section 4. HEIGHT REGULATIONS.

No building or structure shall exceed three (3) stories or thirty-five (35) feet in height.

Section 5. MINIMUM LOT AREA, FRONTAGE AND YARD REQUIREMENTS.

5.001 MINIMUM LOT AREA. All lots shall be served by a public water supply and a public central sewerage system and each one family dwelling shall be located on a lot containing at least six thousand (6000) square feet of area, and each two family dwelling shall be located on a lot having at least four thousand (4000) square feet of area for each dwelling unit.

5.002 Minimum Frontage and Yard Requirements.

		Front Yard Depth	Side Yard Width	Rear Yard Depth
a.	One-family dwellings.	75 ft.	25ft.	30 ft.
b.	Two-family dwelling (Duplex/Condo attached Using zero lot line – each Unit lot)	60 ft	25 ft	30 ft.

ARTICLE VIII “R-3” Multiple-Family Residence Districts

Section 1. GENERAL DESCRIPTION.

This residential district provides for medium and high population density. Certain uses are permitted which are more compatible functionally with intensive residential uses than with commercial uses. The recreational, religious, and educational facilities normally required to provide a balanced and attractive residential area are included. Internal stability, attractiveness, orderliness, and efficiency are encouraged by providing for adequate light, air, and open space for dwellings and related facilities and through consideration of the proper functional relationship of the different uses.

Section 2. PRINCIPAL USES.

Property and buildings in the “R-3” Multiple family Residence District shall be used only for the following purposes:

- 2.001 Multiple-family dwellings.
- 2.002 One and Two family dwellings.
- 2.003 Accessory uses and buildings incidental to and on the same zoning lot as a principal use, including:
 - a. Garages and carports.
 - b. Gardens and greenhouses, private and noncommercial.
 - c. Home occupations.
 - d. Tool houses, sheds and other similar building for the storage of domestic supplies.
 - e. Off-street parking in accordance with Article XIV,

Section 3. SPECIAL USES.

Property and buildings in the “R-2” Two-Family Residence District may be used for the following purposes upon review and approval by the Board of Appeals in accordance with Article XVIII:

- 3.001 BOARDING AND/OR LODGING HOUSES
- 3.002 CEMETERIES.
- 3.003 CULTURAL INSTITUTIONS as follows:
 - a. Art galleries.
 - b. Libraries.
 - c. Museums.
- 3.004 EDUCATIONAL INSTITUTIONS as follows:
 - a. Colleges and universities, including structures and facilities necessary to the operation of a college or university.
 - b. Elementary and high schools.
 - c. Schools for handicapped children.
 - d. Day nurseries and other schools for the care and instruction of children.
- 3.005 EXCAVATIONS FOR SPECIFIED PURPOSES as follows:
 - a. Artificial lakes.
 - b. Borrow pits.
 - c. Topsoil removal,
 - d. Filling of land.

- 3.006 LIVING QUARTERS FOR PERSONS EMPLOYED ON THE PREMISES.
- 3.007 PLANNED DEVELOPMENTS residential
- 3.008 PHILANTHROPIC AND CHARITABLE INSTITUTIONS. But not including businesses sponsored by such institutions, except such as are accessory or incidental to and located in the same building as such institution proper.
- 3.009 PUBLIC UTILITY, SERVICE AND EQUIPMENT FACILITIES AND TELECOMMUNICATIONS TOWERS.
- 3.010 GOVERNMENTAL OFFICES, FACILITIES AND STRUCTURES.
- 3.011 RECREATIONAL FACILITIES as follows:
 - a. Country clubs,
 - b. Golf courses.
 - c. Parks, playgrounds and community buildings.
 - e. Swimming pools and clubs,
 - f. Tennis courts and clubs.
- 3.012 RELIGIOUS INSTITUTIONS as follows:
 - a. Churches, chapels, temples, synagogues and other similar establishments of religion,
 - b. Convents, monasteries, seminaries and other similar religious institutions.
 - c. Rectories, parsonages, and similar dwellings.
- 3.013 ACCESSORY uses incidental to and on the same zoning lot as the special use.

Section 4. HEIGHT REGULATIONS.

No building or structure shall exceed three (3) stories or forty (50) feet in height.

Section 5. MINIMUM LOT AREA, FRONTAGE AND YARD REQUIREMENTS.

5.001 MINIMUM LOT AREA. All lots shall be served by a public water supply and a public central sewerage system and shall have the following minimum lot area:

One family dwelling	6,000 sq. ft./dwelling
Two family dwelling	4,000 sq. ft./dwelling unit
Multiple family dwelling	3,000 sq. ft./dwelling unit

5.002 MINIMUM FRONTAGE AND YARD REQUIREMENTS.

	Lot Width	Front Yard Depth	Side Yard Width	Rear Yard Depth
a. One-family dwellings.	75 ft.	25 ft.	7.5 ft	30 ft.
b. Two-family dwelling (Duplex/Condo attached Using zero lot line – each Unit lot)	60 ft	25 ft	7.5 ft	30 ft.
c. Multiple family dwelling	100 ft	30 ft.	15 ft.	30 ft.

ARTICLE IX "R-4" Mobile Home Park District

Section 1. GENERAL DESCRIPTION.

This residential district provides for medium and high population density. The principal use of land is for planned mobile home parks, including mobile homes and other related facilities normally required to provide a balanced and attractive residential area. Internal stability, attractiveness, orderliness and efficiency are encouraged by providing for adequate light and open space for mobile homes and related facilities and through consideration of the proper functional relationship of the different uses.

Section 2. PRINCIPAL USES.

Property and buildings in the "R-4" Mobile Home Park District shall be used only for the following purposes:

2.001 MOBILE HOMES.

2.002 MOBILE HOME PARKS established and licensed under the Mobile Home and Mobile Home Park Act of the State of Illinois (Sections 711 through 737, Chapter III ½ of the Illinois Revised Statutes, 1983)*

Section 3. SCREENING.

When a Mobile Home Park is established or expanded and such use is created adjacent to a property zoned residential, the Mobile Home Park owner will establish a landscape screening and buffer area between the mobile home park use and the residential zoned property. Such landscaped screening and buffer area shall be located within the mobile home park zoned property and shall consist of a suitable combination of plant materials and fencing to visually screen the-mobile home park use from the residential zoned area on a year around basis. Failure to provide and maintain such a landscape screening and buffer shall constitute a violation of the Ordinance.

ARTICLE X “O-1” Office Districts

Section 1. GENERAL DESCRIPTION.

This is a district intended to be a transitional area between residential districts and business and industrial districts. This District often consists of residences converted for office uses in an area immediately adjoining a business or industrial area; or it may consist of newly developed land adjoining such business or industrial areas.

Section 2. PRINCIPAL USES.

Property and buildings in the “O-1” Office District shall be used only for the following purposes:

- 2.001 OFFICES - private, governmental and professional.
- 2.002 CLUBS, LODGES AND RECEPTION HALLS.
- 2.003 EDUCATIONAL, CHARITABLE, CULTURAL, PHILANTHROPIC, AND RELIGIOUS INSTITUTIONS.
- 2.004 FUNERAL HOMES.
- 2.005 MULTIPLE-FAMILY DWELLINGS.
- 2.006 ONE-FAMILY DETACHED DWELLINGS.
- 2.007 TWO-FAMILY DETACHED DWELLINGS.
- 2.008 ACCESSORY USES and buildings incidental to and on the same zoning lot as a principal use.

Section 3. SPECIAL USES.

Property and buildings in the “O-1” Office District may be used for the following purposes upon review and approval by the Board of Appeals in accordance with Article XVIII and other uses as defined:

- 3.001 HOSPITALS.
- 3.002 MEDICAL CLINICS and similar establishments.
- 3.003 PUBLIC UTILITY AND SERVICE USES AND FACILITIES AND TELECOMMUNICATIONS TOWERS.

Section 4. HEIGHT REGULATIONS.

No building or structure shall exceed three (3) stories or fifty (50) feet in height.

Section 5. MINIMUM LOT AREA, FRONTAGE AND YARD REQUIREMENTS.

- 5.001 MINIMUM LOT AREA. A lot upon which a building or structure is located which is used exclusively as a dwelling shall have the following minimum lot area:

One-family dwelling	6,000 sq. ft./dwelling
Two-family dwelling	4,000 sq. ft./dwelling unit
Multiple-family dwelling	3,000 sq. ft./dwelling unit

5.002 MINIMUM FRONTAGE AND YARD REQUIREMENTS for Dwellings. The following minimum requirements shall be observed:

	Lot	Front Yard	Side Yard	Rear Yard
	<u>Width</u>	<u>Depth</u>	<u>Width</u>	<u>Depth</u>
a. One-family dwellings.	75 ft.	25 ft.	7.5 ft	30 ft.
b. Two-family dwelling (Duplex/Condo attached Using zero lot line – each Unit lot)	60 ft	25 ft	7.5 ft	30 ft.
c. Multiple family dwelling	100 ft	30 ft.	15 ft.	30 ft.

5.003 MINIMUM FRONTAGE AND YARD REQUIREMENT FOR OTHER USES.

Other uses	100 ft.	30 ft.	15 ft.	30 ft.
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Section 6. SCREENING.

When a principal or special use is established or expanded in the “O-1” Office District and when such use is located adjacent to a property zoned residential, the owner or agent of the property zoned “O-1” Office District shall provide a landscaped screening and buffer area between the office district use and the residential-zoned property. Such landscaped screening and buffer area shall be located within the office district zoned property and shall consist of a suitable combination of plant materials and fencing to visually screen the office use from the residential zoned area on a year around basis. Failure to provide and maintain such landscape screening and buffer shall constitute a violation of the Ordinance.

ARTICLE XI "B-1" Limited Business Districts

Section 1. GENERAL DESCRIPTION.

This business district is for the conduct of retail trade and personal service enterprises to meet the regular needs and for the convenience of the people of adjacent residential areas. Because these shops and stores may be an integral part of the neighborhood closely associated with residential, religious, recreational and educational uses, more restrictive requirements for light, air, open space and off-street parking are made than are provided in other business districts.

Section 2. PRINCIPAL USES.

Property and buildings in the "B-1" Limited Business District Shall be used only for the following purposes, provided that the floor area of no one use listed below exceeds a gross floor area of 5000 square feet:

- 2.001 ANTIQUE SHOPS.
- 2.002 ART AND SCHOOL SUPPLY STORES.
- 2.003 ART GALLERIES AND CRAFT SHOPS.
- 2.004 BAKERY, CONFECTIONERY AND ICE CREAM SHOPS, RETAIL.
- 2.005 BANKS AND OTHER SIMILAR FINANCIAL INSTITUTIONS
- 2.006 BARBER SHOPS.
- 2.007 BEAUTY SHOPS.
- 2.008 BICYCLE AND ACCESSORY STORES.
- 2.009 BOOK STORES.
- 2.010 CAMERA AND PHOTOGRAPHIC SUPPLY STORES.
- 2.011 CHINA, GLASSWARE AND METAL WARE STORES.
- 2.012 CLINICS.
- 2.013 CLOTHING AND DRY GOODS STORES.
- 2.014 CLUBS AND LODGES.
- 2.015 COIN AND STAMP STORES.
- 2.016 CURRENCY EXCHANGES.
- 2.017 DANCING AND MUSIC ACADEMIES.
- 2.018 DATA PROCESSING CENTERS.
- 2.019 DAY CARE CENTERS, NURSERIES AND KINDERGARTENS.
- 2.020 DELICATESSENS.

- 2.021 DEPARTMENT STORES.
- 2.022 DIAPER SERVICE.
- 2.023 DRAPERY, CURTAIN AND WINDOW COVERING STORES.
- 2.024 DRUG STORES AND PHARMACIES.
- 2.025 EDUCATIONAL, CHARITABLE, CULTURAL, PHILANTHROPIC AND RELIGIOUS INSTITUTIONS.
- 2.026 ELECTRICAL APPLIANCE SHOPS.
- 2.027 EMERGENCY MEDICAL CLINICS AND SIMILAR ESTABLISHMENTS.
- 2.028 FABRIC AND SEWING ACCESSORY STORES.
- 2.029 FLOOR COVERING STORES.
- 2.030 FLORIST SHOPS, RETAIL.
- 2.031 FUNERAL HOMES AND MORTUARIES.
- 2.032 FURNITURE STORES.
- 2.033 FURRIERS AND FUR APPAREL STORES.
- 2.034 GARDEN SUPPLY SHOPS.
- 2.035 GIFT, NOVELTY AND SOUVENIR STORES,
- 2.036 GROCERY STORES AND SPECIALTY FOOD SHOPS.
- 2.037 HARDWARE STORES.
- 2.038 HOBBY SHOPS.
- 2.039 INTERIOR AND HOME DECORATING SHOPS.
- 2.040 JEWELRY STORES.
- 2.041 KEY AND LOCK SHOPS.
- 2.042 KITCHEN AND BATH CABINET SHOPS.
- 2.043 LAUNDRY AND DRY CLEANING ESTABLISHMENTS, COIN OPERATED AND SELF-SERVICE.
- 2.044 LEATHER SHOPS.
- 2.045 LUGGAGE AND SUITCASE STORES,
- 2.046 LIQUOR STORES.
- 2.047 MUSICAL INSTRUMENT STORES.
- 2.048 MULTIPLE-FAMILY DWELLINGS.

- 2.049 NEWSPAPER AND MAGAZINE STANDS.
- 2.050 OFFICES - BUSINESS, GOVERNMENTAL AND PROFESSIONAL.
- 2.051 OFFICE SUPPLY STORES.
- 2.052 ONE-FAMILY DWELLINGS.
- 2.053 OPTICAL GOODS STORES.
- 2.054 PAINT AND WALLCOVERING STORES.
- 2.055 PET SHOPS.
- 2.056 PHOTOGRAPHIC STUDIOS.
- 2.057 PICTURE FRAMING SHOPS.
- 2.058 POSTAL SERVICE PICK-UP STATIONS.
- 2.059 PRINTING SHOPS - HAND PRESS, OFF-SET PRESS AND PHOTOCOPY ONLY.
- 2.060 RECORD SHOPS.
- 2.061 RESALE SHOPS FOR NOT-FOR-PROFIT ORGANIZATIONS
- 2.062 RESTAURANTS, CARRYOUT WITH LESS THAN 500 SQ. FT. OF FLOOR AREA.
- 2.063 SECOND HAND ITEM STORES,
- 2.064 SHOE STORES AND SHOE REPAIR SHOPS.
- 2.065 SPORTING GOODS STORES.
- 2.066 STATIONERY STORES.
- 2.067 STUDIOS FOR ART, CERAMICS, DRAMA, SPEECH AND SIMILAR SKILLS.
- 2.068 TAILORING AND DRESSMAKING SHOPS.
- 2.069 TOBACCO SHOPS.
- 2.070 TOOL AND APPLIANCE RETAIL CENTERS.
- 2.071 TOY STORES.
- 2.072 TRAVEL BUREAUS
- 2.073 TWO-FAMILY DWELLINGS.
- 2.074 UPHOLSTERY SHOPS.
- 2.075 VARIETY STORES.
- 2.076 ACCESSORY USES AND BUILDINGS INCIDENTAL TO AND ON THE SAME ZONING LOT AS THE PRINCIPAL USE.

Section 3. SPECIAL USES.

Property and buildings in the "B-1" Limited Business District may be used for the following purposes upon review and approval by the Board of Appeals in accordance with Article XVIII:

- 3.001 ALCOHOLIC, PSYCHIATRIC AND NARCOTIC TREATMENT FACILITIES.
- 3.002 AUTOMOBILE SERVICE STATIONS, EXCLUDING FACILITIES FOR MAKING MAJOR REPAIRS.
- 3.003 AUTOMOBILE WASHING FACILITIES WHEN OPERATED AS PART OF AUTOMOTIVE SERVICE STATIONS OR WHEN OPERATED AS INDEPENDENT CENTERS.
- 3.004 COMMUNITY AND RECREATION CENTERS.
- 3.005 CONVALESCENT, NURSING AND SHELTERED CARE HOMES.
- 3.006 HOSPITALS AND SANITARIUMS.
- 3.007 LIBRARIES AND MUSEUMS.
- 3.008 NEWSPAPER DISTRIBUTIONS SERVICES.
- 3.009 PUBLIC UTILITY AND SERVICE USES AND FACILITIES AND TELECOMMUNICATIONS TOWERS.
- 3.010 RESTAURANTS, INCLUDING OUTDOOR AND CARRY-OUT LARGER THAN 500 SQ. FT.
- 3.011 SEASONAL ROADSIDE STANDS AND OUTDOOR MARKETS,
- 3.012 OTHER USES DETERMINED BY THE PLANNING COMMISSION TO BE OF A SIMILAR NATURE AND CHARACTER TO THE FORGOING.
- 3.013 MOTOR VEHICLE RENTAL AGENCIES

Section 4. HEIGHT REGULATION.

No building or structure shall exceed three (3) stories or fifty (50) feet in height.

Section 5. MINIMUM LOT AREA, FRONTAGE AND YARD REQUIREMENTS.

5.001 Minimum Lot Area. A lot upon which a building or structure is located which is used exclusively as a dwelling shall have the following minimum lot area:

One-family dwelling	6,000 sq. ft./dwelling
Two-family dwelling	4,000 sq. ft./dwelling unit
Multiple-family dwelling	3,000 sq. ft./ dwelling unit

5.002 MINIMUM FRONTAGE AND YARD REQUIREMENTS for Dwellings. The following minimum requirements shall be observed:

	Lot Width	Front Yard Depth	Side Yard Width	Rear Yard Depth
a. One-family dwellings.	75 ft.	25 ft.	7.5 ft	30 ft.

b.	Two-family dwelling (Duplex/Condo attached Using zero lot line – each Unit lot)	60 ft	25 ft	7.5 ft	30 ft.
c.	Multiple family dwelling	100 ft	30 ft.	15 ft.	30 ft.
d.	Other uses	none	30 ft.	None, except where adjoining an “R” Dist. , then same as required in “R” District.	Twenty (20) feet, except where adjoining an “R” District then 30 ft.

Section 6. SCREENING.

When a principal or special use is established or expanded in the “B-1” Limited Business District and when such use is located adjacent to a property zoned residential, the owner or agent of the property zoned “B-1” Limited Business District shall provide a landscaped screening and buffer area between the business district use and the residential-zoned property. Such landscaped screening and buffer area shall be located within the business district zoned property and shall consist of a suitable combination of plant materials and fencing to visually screen the business use from the residential zoned area on a year around basis. Failure to provide and maintain such landscape screening and buffer shall constitute a violation of the Ordinance.

ARTICLE XII “B-2” General Business Districts

Section 1. GENERAL DESCRIPTION.

This business district is designed to accommodate the needs of a larger consumer population than is served by the “B-1” Limited Business District, thus a wider range of services and goods is permitted for both daily and occasional shopping and service needs. Persons living in the community and in the surrounding trade territory require direct and frequent access.

Section 2. PRINCIPAL USES.

Property and buildings in the “B-2” General Business District shall be used only for the following purposes:

- 2.001 ALL USES PERMITTED IN THE “B-1” LIMITED BUSINESS DISTRICT WITHOUT LIMITATION ON FLOOR AREA.
- 2.002 AIRCRAFT AND ACCESSORIES SALES AND SERVICE.
- 2.003 ANIMAL CLINICS AND HOSPITALS.
- 2.004 ARCHERY RANGES.
- 2.005 AUCTION HOUSES.
- 2.006 AUDITORIUMS, STADIUMS AND ARENAS.
- 2.007 AUTOMOBILE SERVICE STATIONS.
- 2.008 BAKERIES, WHOLESALERS.
- 2.009 BANKS AND OTHER SIMILAR FINANCIAL INSTITUTIONS, INCLUDING DRIVE-IN FACILITIES.
- 2.010 BARBER AND BEAUTY SHOPS.
- 2.011 BLUEPRINTING AND PHOTOCOPYING SHOPS.
- 2.012 BOWLING ALLEYS.
- 2.013 BUILDING MAINTENANCE SERVICES.
- 2.014 BUS TERMINALS AND MAINTENANCE FACILITIES.
- 2.015 BUSINESS AND TECHNICAL SCHOOLS.
- 2.016 CATERING SERVICE FACILITIES.
- 2.017 COMMUNITY AND RECREATION CENTERS.
- 2.018 CONTRACTOR'S SHOPS. PROVIDED THAT ALL FABRICATING AND STORAGE OF MATERIALS AND EQUIPMENT IS WITHIN A BUILDING.
- 2.019 CONVALESCENT, NURSING HOMES AND SIMILAR CARE-FACILITIES.
- 2.020 COSTUME RENTAL SHOPS.

- 2.021 CREMATORIA.
- 2.023 CURRENCY EXCHANGES.
- 2.024 DINNER THEATERS AND DANCE HALLS.
- 2.025 DRIVE-IN THEATERS.
- 2.026 DRIVING SCHOOLS.
- 2.027 EMPLOYMENT AGENCIES.
- 2.028 EXTERMINATING SERVICE FACILITIES.
- 2.029 FLORIST SHOPS, WHOLESALE.
- 2.030 FROZEN FOOD LOCKERS.
- 2.031 GOLF RANGES.
- 2.032 GREENHOUSE, COMMERCIAL.
- 2.033 HEALTH CLUBS AND GYMNASIUMS.
- 2.034 HOSPITALS AND SANITARIUMS.
- 2.035 HOTELS, MOTELS AND MOTOR LODGES.
- 2.036 INDEPENDENT OFF-STREET PARKING AREAS.
- 2.037 LIBRARIES AND MUSEUMS.
- 2.038 LIGHTING AND ELECTRICAL EQUIPMENT SALES AND SERVICE
- 2.039 MAIL ORDER HOUSES.
- 2.040 MARINE CRAFT AND ACCESSORIES SALES AND SERVICE.
- 2.041 MEDICAL AND ORTHOPEDIC APPLIANCE AND SUPPLY STORES.
- 2.042 MEDICAL AND DENTAL LABORATORIES.
- 2.043 MINIATURE GOLF COURSES.
- 2.044 MOTOR VEHICLE RENTAL AGENCIES.
- 2.045 MOTOR VEHICLE SALES AND SERVICE.
- 2.046 MOTOR VEHICLE AND MOTOR REPAIR SHOPS, EXCLUDING MAJOR BODY REPAIR, REBUILDING AND PAINTING.
- 2.047 MOTOR VEHICLE PARTS AND ACCESSORIES SALES AND SERVICE.
- 2.048 MOBILE HOME AND MOTORHOME SALES AND SERVICE.
- 2.049 MOVIE AND DRAMA THEATERS, INCLUDING OUTDOOR.
- 2.050 PAWN SHOPS.

- 2.051 PENNY AND VIDEO ARCADES.
- 2.052 PERSONNEL TRAINING CENTERS.
- 2.053 PLUMBING, HEATING AND AIR CONDITIONING EQUIPMENT SALES AND SERVICE.
- 2.054 POSTAL SERVICE, DISTRIBUTION CENTER.
- 2.055 PRINTING AND PUBLISHING OF NEWSPAPERS, PERIODICALS AND BOOKS, INCLUDING LETTER PRESS WORK.
- 2.056 RADIO AND TELEVISION BROADCASTING STUDIO.
- 2.057 RADIO AND TELEVISION SALES AND REPAIR.
- 2.058 RECORDING STUDIOS.
- 2.059 RECREATIONAL AND SPORTS VEHICLES SALES AND SERVICE.
- 2.060 RESTAURANTS, EXCEPT DRIVE-IN.
- 2.061 ROLLER AND ICE SKATING FACILITIES.
- 2.062 SEASONAL ROADSIDE STANDS AND TEMPORARY OUTDOOR MARKETS.
- 2.063 SEWING MACHINES SALES AND SERVICE.
- 2.064 SPORTS CENTERS AND TRAINING SCHOOLS.
- 2.065 TAVERNS.
- 2.066 TAXICAB DISPATCHING OFFICE AND STORAGE.
- 2.067 TAXIDERMISTS.
- 2.068 VARIETY STORES.
- 2.069 WINDOW CLEANING SERVICE FACILITIES.
- 2.070 ACCESSORY USES AND BUILDINGS INCIDENTAL TO AND ON THE SAME ZONING LOT AS A PRINCIPAL USE.

Section 3. SPECIAL USES.

Property and buildings in the "B-2" General Business District may be used for the following purposes upon review and approval by the Board of Appeals in accordance with Article XVIII:

- 3.001 ALCOHOLIC, PSYCHIATRIC AND NARCOTIC TREATMENT FACILITIES.
- 3.002 AUCTION ROOMS AND FACILITIES.
- 3.003 AUTOMOBILE WASHING FACILITIES.
- 3.004 FOOD LOCKERS.
- 3.005 GENERAL WAREHOUSES AND STORAGE FACILITIES.

- 3.006 LUMBER AND BUILDING MATERIAL YARD AND STORAGE FACILITIES.
- 3.007 MASONRY, STONEMWORK AND TILE SETTING SHOPS.
- 3.008 MILLWORK AND CABINET FABRICATING SHOPS.
- 3.009 MINI-WAREHOUSES FOR STORAGE OF HOUSEHOLD GOODS AND RECREATIONAL EQUIPMENT.
 - a. A mini warehouse development shall have a minimum lot area of one (1) acre.
 - b. Off street parking shall be provided as follows
 - (1) One (1) space for each ten (10) storage cubicles, distributed throughout the area.
 - (2) One (1) space for every twenty five (25) storage cubicles, to be located at the site office for use by prospective clients.
 - c. A landscaping strip, twenty (20) feet in width, shall be provided along all sides adjoining streets, and all borders where the property abuts a residential zoning district. A landscaping plan shall be provided with the site plan. All landscaping areas shall be maintained in good condition.
 - d. One way drives shall provide for a ten (10) foot parking lane and a fifteen (15) foot travel lane. Two way drives shall provide a ten (10) foot parking lane and two (2) twelve (12) foot travel lanes. Parking lanes may be eliminated if a driveway does not serve storage cubicles.
 - e. All areas not covered by buildings or landscaping shall be surfaced with concrete, or asphaltic concrete.
 - f. No outside storage shall be allowed.
 - g. No activity other than dead storage of goods shall be allowed.
 - h. A minimum thirty five (35) foot wide building separation shall be maintained.
 - i. Trash enclosures shall be provided and maintained by the project owner.
 - j. Signs shall be limited to those identifying the nature of the building and shall conform to the sign regulations of the Village. Directional signs for traffic control shall be allowed.
- 3.011 MULTIPLE-FAMILY DWELLINGS.
- 3.012 ONE-FAMILY DWELLINGS.
- 3.013 PUBLIC UTILITY AND SERVICE USES AND FACILITIES AND TELECOMMUNICATIONS TOWERS.
- 3.014 RESTAURANTS, DRIVE IN.
- 3.015 TRUCK TERMINALS.
- 3.017 OTHER USES DETERMINED BY THE PLANNING COMMISSION TO BE OF A SIMILAR NATURE AND CHARACTER AS THE FORGOING.

- 3.016 TWO-FAMILY DWELLINGS.
- 3.017 WELDING SHOPS.
- 3.018 WHOLESALE TRADE OFFICES AND STORAGE FACILITIES.

Section 4. HEIGHT REGULATIONS.

No building or structure shall exceed three (3) stories or fifty (50) feet in height.

Section 5. MINIMUM LOT AREA, FRONTAGE AND YARD REQUIREMENTS.

5.001 Minimum Lot Area. A lot upon which a building or structure is located which is used exclusively as a dwelling shall have the following minimum lot area:

One-family dwelling	6,000 sq.	ft./dwelling
Two-family dwelling	4,000 sq.	ft./dwelling unit
Multiple-family dwelling	3,000 sq.	ft./dwelling unit

5.002 MINIMUM FRONTAGE AND YARD REQUIREMENTS for Dwellings. The following minimum requirements shall be observed:

			Front Yard	Side Yard	Rear Yard
	Lot Width		Depth	Width	Depth
a.	One-family dwellings.		75 ft.	25 ft.	7.5 ft 30 ft.
b.	Two-family dwelling (Duplex/Condo attached Using zero lot line – each Unit lot)		60 ft	25 ft	7.5 ft 30 ft.
c.	Multiple family dwelling	100 ft	30 ft.	15 ft.	30 ft.
d.	Other uses	none	30 ft.	None, except where adjoining feet, except an “R” District, where adjoining then same as an “R” District required in “R” District.	Twenty (20) where adjoining an “R” District then 30 ft.

Section 6. SCREENING.

When a principal or special use is established or expanded in the “B-2” General Business District and when such use is located adjacent to a property zoned residential, the owner or agent of the property zoned “B-2” General Business District shall provide a landscaped screening and buffer area between the business district use and the residential-zoned property. Such landscaped screening and buffer area shall be located within the business district zoned property and shall consist of a suitable combination of plant materials and fencing to visually screen the business use from the residential zoned area on a year around basis. Failure to provide and maintain such landscape screening and buffer shall constitute a violation of the Ordinance.

ARTICLE XIII "I-1" Light Industrial District

Section 1. GENERAL DESCRIPTION.

This industrial district is intended primarily for the conduct of manufacturing, assembling and fabrication. It is designed to provide an environment suitable for industrial activities that do not create appreciable nuisances or hazards. The uses permitted in this district make it most desirable that they be separated from residential uses.

Section 2. PRINCIPAL USES.

Property and buildings in the "I-1" Light Industrial District Shall be used only for the following purposes:

- 2.001 ALL PRINCIPAL USES PERMITTED IN THE "B-2" GENERAL BUSINESS DISTRICT.
- 2.002 BOTTLING OF SOFT DRINKS OR MILK, OR DISTRIBUTION STATIONS.
- 2.003 AUTOMOBILE REPAIR GARAGES DOING MAJOR REPAIR, INCLUDING TIRE RETREADING OR RECAPPING, BATTERY SERVICE AND REPAIR.
- 2.004 MANUFACTURING, COMPOUNDING, PROCESSING, PACKAGING OR TREATMENT OF SUCH PRODUCTS AS BAKERY GOODS, CANDY, COSMETICS, PHARMACEUTICALS, TOILETRIES, AND FOOD PRODUCTS.
- 2.005 MANUFACTURING, COMPOUNDING, ASSEMBLING, OR TREATMENT OF ARTICLES OR MERCHANDISE FROM THE FOLLOWING PREVIOUSLY PREPARED MATERIAL: CANVAS, CELLOPHANE, CLOTH, FIBER, GLASS, LEATHER, PAPER, PLASTIC, PRECIOUS OR SEMI-PRECIOUS METALS OR STONE, RUBBER, TEXTILES, WOOD OR YARN.
- 2.006 MANUFACTURE OR ASSEMBLY OF ELECTRICAL APPLIANCES, ELECTRONIC INSTRUMENTS AND DEVICES, RADIO AND TELEVISION SETS, ELECTRIC AND NEON SIGNS, REFRIGERATORS AND STOVES.
- 2.007 ANY OTHER USE THAT IS DETERMINED BY THE BOARD OF APPEALS TO BE OF THE SAME GENERAL CHARACTER AS THE FOREGOING PRINCIPAL USES BUT NOT INCLUDING ANY USE WHICH MAY BECOME NOXIOUS OR OFFENSIVE IN AN "I-1" DISTRICT, IN DETERMINING WHETHER CERTAIN USES SHALL BE LOCATED IN AN "I-1" DISTRICT, THE BOARD OF APPEALS SHALL GIVE DUE REGARD TO THE NATURE AND CONDITION OF ALL ADJACENT USES AND STRUCTURES, AND THE CONSISTENCY THEREWITH OF THE PROPOSED USE AND DEVELOPMENT. BEFORE AUTHORIZING A USE FOR LOCATION IN AN I.1 LIGHT INDUSTRIAL DISTRICT, THE BOARD SHALL DETERMINE WHETHER THE PROPOSED USES WOULD BE HAZARDOUS, HARMFUL, NOXIOUS, OFFENSIVE, OR A NUISANCE TO THE SURROUNDING NEIGHBORHOOD BY REASON OF NOISE, SMOKE, ODOR, VIBRATION, DUST AND DIRT, CINDERS, NOXIOUS GASES, GLARE AND HEAT, FIRE AND SAFETY HAZARDS, SEWAGE WASTES AND POLLUTION, TRANSPORTATION AND TRAFFIC, AESTHETIC AND PSYCHOLOGICAL EFFECTS.

2.008 ACCESSORY USES AND BUILDINGS INCIDENTAL TO AND ON THE SAME ZONING LOT AS A PRINCIPAL USE.

Section 3. PROHIBITED USES.

The following uses are specifically prohibited in the "I-1" Light industrial District.

- 3.001 DWELLINGS, EXCEPT FOR WATCHMAN OR CARETAKER ON THE PREMISES.
- 3.002 RELIGIOUS INSTITUTIONS, SCHOOLS, HOSPITALS, CLINICS, AND OTHER INSTITUTIONS FOR HUMAN CARE, EXCEPT WHEN INCIDENTAL TO A PERMITTED USE.
- 3.003 SALVAGE AND WRECKING OPERATIONS, INDUSTRIAL METAL AND WASTE SALVAGE OPERATIONS AND JUNK YARDS.

Section 4. HEIGHT REGULATION.

No building or structure shall exceed three (3) stories or fifty (50) feet in height.

Section 5. MINIMUM LOT AREA, FRONTAGE AND YARD REQUIREMENTS.

- 5.001 Minimum Lot Area. No minimum lot area is required.
- 5.002 Minimum Frontage and Yard Requirements. The following minimum requirements shall be observed:

Lot	Front Yard Width	Side Yard Width	Rear Yard depth
No Minimum	30 ft. Minimum	Equal to	Equal to building height of Building, but not less than twenty (20) feet.

Section 6. SCREENING.

When a principal use is established or expanded in the "I-1" Light Industrial District and when such use is located adjacent to a property zoned residential, the owner or agent of the property zoned "I-1" Light Industrial District shall provide a landscaped screening and buffer area between the industrial district use and the residential-zoned property. Such landscaped screening and buffer area shall be located within the industrial district zoned property and shall consist of a suitable combination of plant materials and fencing to visually screen the office use from the residential zoned area on a year around basis. Failure to provide and maintain such landscape screening and buffer shall constitute a violation of the Ordinance.

Section 7. SPECIAL USES.

Property and buildings in the "I-1" Light Industrial District may be used for the following purposes upon review and approval by the Board of Appeals in accordance with Article XVIII:

- 7.01 Public utility and service uses and facilities and telecommunications towers.

ARTICLE XIV Off-Street Parking and Loading

Section 1. OFF-STREET PARKING.

- 1.001 PROVISIONS OF OFF-STREET PARKING. In all districts, off-street accessory parking, in the open or in a garage, shall be provided in connection with the uses set forth hereinafter and to the extent indicated therewith, in addition to the required loading and unloading spaces required hereinafter. Off-street parking in all "R" Districts and in the "ON District shall be on the premises intended to be served; off-street parking in the "B" and "I" Districts shall be on the premises intended to be served or on adjoining or nearby property within one hundred (100) feet of any part of said premises and in the same or less restricted district.
- 1.002 DESIGN. All off-street parking spaces hereinafter required by the Ordinance, except those required for one- and two-family dwellings, shall be designed in accordance with one of the formulae set forth in the Off-Street Parking Chart, (Appendix B) which chart is attached hereto and made a part hereof.
- 1.003 DEVELOPMENT STANDARDS. Off-street accessory parking-areas shall be of usable shape and shall be improved with a durable and dustless surface and so graded and drained as to dispose of all surface water accumulation within the area. Any lighting used to illuminate such parking areas shall be so arranged as to project the light away from adjoining premises in any "R" District.
- 1.004 NUMBER OF OFF-STREET PARKING SPACES REQUIRED. Off-street parking spaces shall be provided in accordance with the specific Parking classes as hereinafter set forth. Parking spaces for accessory uses not specifically enumerated within a parking class shall be assumed to be included in the principal (permitted or special) use requirement, If for any reason, the classification of any use, for the purpose of determining the amount of off - street parking, or the number of spaces to be provided by such use is not readily determinable hereunder, the parking class of such use shall be fixed by the Zoning Officer.

Parking – Class/Uses/Permitted or Special – Required Spaces

1. Dwelling, single-family - 2 for each dwelling of which at least 1 shall be located behind the front yard building line.
2. Dwelling, two family/multiple-family - 1.5 for each dwelling unit.
3. Hotel/Motel - 1 for each rental unit.
4. Convalescent or rest home, nursing home, and sanitarium Convent, monastery and nunnery, Home for the aged, Institution for the care and residence of children and adults. Parsonage, rectory or Parish house. Religious retreat - 1 for each 1000 sq. ft. of gross floor area
5. Aquarium, Historic site, Hospital, Library, museum or art gallery, public Philanthropic and Charitable institutions. Nursery school or child care center - 2 for each 1000 sq. ft. of gross floor area.
6. Animal hospital and veterinarian, Animal kennels, Art studio, Bank, savings and loan association, Blueprinting, Business machine sales and service, Bus terminal, Catering service, Civil defense, fire and police stations, Clinic for: doctor, dentist, osteopath, podiatrist, chiropractor, chiropodist, optometrist or similar profession,

Clothing and costume rental, Club or lodge, private; operated for the benefit of members and not for gain, Custom dressmaking and tailor shop, Diaper service, Dry cleaning plant employing not more than six (6) persons, Financial institutions and uses, Frozen food locker plants, including sales of frozen foods, Government administration buildings without garages or shops, Interior decorator, Laboratory, medical dental or optical, Laboratory, research and testing. Labor union offices and lodges, Lithographing, Massage salon, Medical and dental office, Office, business and professional, Office machines, sales and service, Photostating, Physical culture and health services, Post office, Recording studio, Recreational and community centers, Repair of shoes, clothing and hats, School, music, dance and vocal, Small animal grooming establishments, Telephone exchange and equipment building, Ticket agency, Travel agency - 4 for each 1000 sq. ft. of gross floor area.

7. Bowling alley, Dormitory, Fish market, Fraternity house, Furniture store, Furrier, Hearing aid store, Leather goods and luggage store, Lodging house, Orthopedic and medical appliance sales and service, Photography studio, Picture framing, Rooming house, Rummage shop, Sorority house - 5 for each 1000 sq. ft. of gross floor area.
8. Antique store, Apparel store, Art and school supply store, Art store, retail, Auto accessory store, Bakery, retail, Barber shop, Beauty shop, Book and stationary store, Bus depot, Camera and photographic supply store, Candy, nut and confectionery store, Carpet and floor covering store, China and glassware store, Clothes pressing, Coin store, Dairy products store, Delicatessen, Department store, Dry cleaning and laundry receiving station, Dry goods store, Drug store, Electrical and household appliance store, Employment agency, Florist, Funeral parlor, Garden supply, tool and seed store, Gift store, Grocery or food store, Haberdasheries, Hand laundry, Hardware store, Hobby shop, Home furnishings store, Household appliance store, Ice cream store, Jewelry store, Laundry, self-service, Liquor store, Meat store, Millinery shop, Musical instruments sales and service. Newspaper distribution, Paint, glass and wallpaper store, Pawn store, Pet shop, Phonograph, record and music store, Repair, rental and servicing of any item, the retail sale of which is permitted in the "B-1" or "B-2" Districts, Sewing machine sales and service, Shoe store, Shopping centers, Sporting goods store, Tobacco store, Toy store, Video rental store - 6 for each 1000 sq. ft. of gross floor area.
9. Auction room, Auto service station, Convention or exhibition hall, Meeting hall, Restaurants: carry-out type where no food is consumed on the premises, Restaurants: family dining type where all food is consumed within an enclosed structure, Taverns, Skating rink - 6 for each 1000 sq. ft. of gross floor area.
10. Drive-in type restaurants where:
 - A. food is consumed on the premises, but not within a completely enclosed building; or
 - B. food is served directly to customers in parked motor vehicles. Theaters (indoor). - 30 for each 1000 sq. ft. of gross floor area.
11. Boarding school, elementary and secondary, Dry cleaning plant, Elementary school, Exterminator. Junior high school, Machinery sales and service, Machinery sales, no repair or service, Mail order house, Microwave relay towers, Radar installations and towers, Radio and television stations and towers, Taxidermist - 1 for each employee.
12. Greenhouses and nurseries, retail, Golf driving ranges, - 1 for each 1000 sq. ft. of gross floor area, plus 1 for each 2000 sq. ft. of gross land area.

13. Golf courses, public and private, Pitch and putt golf courses, Par "3" golf courses.
- 100 for each 9 holes (regular golf) or 40 for each 9 holes (Par"3" and others).
14. Zoos or zoological gardens, commercial camping grounds Outdoor rifle range,
trap or skeet shooting range - 1 for each 2000 sq. ft. of gross land area.
15. Athletic field, Botanical gardens, Forest preserves, Grounds of recreational clubs,
noncommercial, Public parks and playgrounds, Public swimming pool, Tennis
courts and clubs - 1 for each 5000 sq. ft. of gross land area; or 1 for each 75 sq.
ft. of water area when a public swimming pool is an isolated use.
16. Auto laundry (mechanical) Auto laundry (self-service) - 1 for each employee plus 1
for each manager/owner plus parking spaces equal to five (5) times the maximum
capacity of the auto washing unit.
17. Commercial or trade school, Business school, Business machine school,
Computer technology school - 1 for each two (2) students based on design
capacity.
18. Senior high school - 1 for each employee plus 1 for each six (6) students based
on design capacity.
19. Churches, chapels, temples, and synagogues, Commercial stadiums. - 1 for each
four (4) Seats in the main auditorium or arena.
20. Colleges, junior colleges and universities - 1 for each four (4) students based on
design capacity.
21. Garages for the storage, servicing and repair of motor vehicles including body
repair, painting, and engine rebuilding. Model garage display and sales.
Motorcycle, bicycle and other outdoor recreational vehicle sales, rental and
service. Motor vehicles sales and service. Trailer, boat, and camper or camper
trailer sales, rental and service - 5 for each 1000 sq. ft. of gross floor area, plus 1
for each 2000 sq. ft. of gross land area.
22. Production or processing, Fuel and ice plants, Printing and publishing, Gas
regulator stations, Laundry, Bakery, Electric substations - 2 for each three (3)
employees.
23. Amusement parks and establishments, Billiard and pool halls, Indoor amusement,
including indoor archery, rifle range and shooting gallery, Miniature golf - 3 for
each 1000 sq. ft. of gross Floor area, plus 3 for each 1000 sq. ft. of gross land
area.
24. Air-conditioning and heating contractor, Building materials and products sales and
storage, Contractors and construction yards and offices, Electrical showrooms
and shops, engineers and architects offices and yards, Greenhouses, wholesale,
Linen supply, Plumbing showroom and
shops.
25. Cemeteries, columbarium's, crematories and mausoleums, Heliports, public and
private, Public stable, Riding academy - Spaces as required by the Zoning Officer
after review by the Planning Commission.
26. Drive-in banking facility- Reservoir space sufficient to accommodate a number of
automobiles equal to five (5) times the number of teller windows.

1.005 TRUCKS, MOBILE HOMES & RECREATIONAL VEHICLES, TRAILER. Trucks,

mobile homes, recreational vehicles and trailers shall not be parked or stored on any lot occupied by a dwelling or any lot in any "R" District except in accordance with the following provisions:

- a. TRUCKS. No truck exceeding one and one-half (1 1/2) tons capacity shall be parked or stored in any "R" District for longer than forty-eight (48) hours.
- b. MOBILE HOMES. A mobile home shall be parked or stored only in a mobile home park or mobile home sales area. A mobile home shall not be occupied either temporarily or permanently while it is parked or stored in any area within the incorporated limits except in a mobile home park authorized by the proper authorities of the Village and/or the State of Illinois.
- c. RECREATIONAL VEHICLES / TRAILERS Only two motor home, camping trailer, travel trailer, trailer or boat, or any combination thereof, per single family residential unit, may be parked or stored on residential premises unless parked or stored in an enclosed garage. Each motor home, camping trailer, trailer or boat must be parked or stored behind the front building set back line, if the item being parked or stored is located on the premises for a period of more than seven (7) days in any continuous thirty (30) day period. Additionally, no motor home, camping trailer, travel trailer, trailer or boat which exceeds forty (40) feet in length or eight (8) feet in width, may be parked or stored in an "R" District for more than seven (7) days in any continuous thirty (30) day period, regardless of location on the premises. In addition, no motor home, camping trailer, or travel trailer, shall be occupied more than seven (7) days for living purposes, either temporarily or permanently, while it is parked or stored in any area within the Village, except within a mobile home park duly licensed by the Village and/or the State of Illinois.

Section 2. OFF-STREET LOADING SPACE REQUIREMENTS.

2.001 GENERAL REQUIREMENTS.

- a. LOCATION. All required loading berths shall be located on the same zoning lot as the use served. All motor vehicle loading berths which abut a residence district or an intervening alley separating a residence district from a business district shall be completely screened therefrom by building walls, a uniformly-painted solid fence, wall or door, or any combination thereof, not less than eight (8) feet in height. No permitted or required loading berth shall be located within thirty (30) feet of the nearest point of intersection of any two (2) streets. No loading berth shall be located in a required front or side yard, and any loading berth located in a required rear yard shall be open to the sky.
- b. SIZE. Unless otherwise specified, a required off-street loading berth shall be at least twelve (12) feet in width by at least thirty (30) feet in length, exclusive of aisle and maneuvering space, and shall have a vertical clearance of at least fifteen (15) feet.
- c. ACCESS. Each required off-street loading berth shall be designed with appropriate means of vehicular access to a street or alley in a manner which will least interfere with traffic movement, and shall be subject to approval by the Administrative Officer.
- d. SURFACING. All open off-street loading berths shall be surfaced with a dustless all-weather material capable of bearing a load of two hundred (200) pounds per square foot.

- e. REPAIR AND SERVICE. No motor vehicle repair work or service of any Kind Shall be permitted in conjunction with loading facilities.
- f. UTILIZATION. Space allocated to any off-street loading shall not, while so allocated, be used to satisfy the space requirements for any off-street parking facilities or portions thereof.
- g. CENTRAL LOADING. Central loading facilities may be substituted for loading berths on the individual zoning lots provided the following conditions are fulfilled:
 - (1) Each zoning lot served shall have direct access to the central loading area without crossing streets or alleys at grade.
 - (2) Total berths provided shall meet the requirements based on the sum of the several types of uses served. (Area of types of uses may be totaled before computing number of loading berths.)
 - (3) No zoning lot served shall be more than five hundred (500) feet removed from the central loading area.
 - (4) A tunnel or-ramp connecting the central loading area with the zoning lot served shall be not less than seven (7) feet in width and have a vertical clearance of not less than seven (7) feet.
- h. MINIMUM FACILITIES. Uses for which off-street loading facilities are required herein but which are located in buildings of less floor area than the minimum prescribed for such required facilities shall be provided with adequate receiving facilities, accessible by motor vehicle from any adjacent alley, service drive or open space on the same zoning lot.

2.002 Specific Requirements.

- a. Residence Districts. Off-street loading facilities accessory to uses allowed in the several Residence Districts shall be provided in accordance with the following minimum requirements.
 - (1) For the uses listed hereunder, one (1) loading berth shall be provided for buildings containing 10,000 to 100,000 sq. ft. of gross floor area, plus one (1) additional loading berth for each additional 100,000 sq. ft. of gross floor area or fraction thereof., Each such loading berth for buildings in excess of 20,000 sq. ft. in gross floor area shall be not less than twelve (12) feet in width by fifty - five (55) feet in length.
 - (a) Airports and commercial heliports.
 - (b) Health and medical institutions.
 - (2) For the uses listed hereunder,, one (1) loading berth shall be provided for buildings containing 10,000 to 200,000 sq. ft. of gross floor area, plus one (1) additional loading berth for each additional 200,000 sq. ft. of gross floor area or fraction thereof.
 - (a) Educational and cultural institutions.

- (b) Philanthropic and charitable institutions.
 - (c) Religious institutions.
- (3) Planned developments, residential. Loading berths shall be provided on the basis of the required berths for each individual use.
 - (4) Recreational and social facilities. For buildings containing 10,000 to 100,000 sq. ft. of gross floor area, one (1) loading berth shall be provided. For each additional 100,000 sq. ft. of gross floor area up to 500,000 sq. ft., one (1) additional loading berth shall be provided for each additional 500,000 sq. ft. of gross floor area or fraction thereof in excess of 500,000 sq. ft.
 - (5) For all other nonresidential uses, loading facilities shall be provided in accordance with the following requirements:
 - (a) For buildings containing less than 10,000 sq. ft. of gross floor area, there shall be provided on the same zoning lot adequate receiving facilities, accessible by motor vehicle, off any adjacent alley, service drive, or open space.
 - (b) For buildings containing 10,000 to 100,000 sq. ft. of gross floor area, one (1) off-street loading berth shall be provided.
 - (c) For buildings containing over 100,000 sq. ft. of gross floor area, there shall be provided one (1) loading berth for each 100,000 sq. ft. of gross floor area or fraction thereof.
 - (6) Multiple-family dwellings and rooming houses. For buildings containing 20,000 to 200,000 sq. ft. of gross floor area, one (1) off-street loading berth shall be provided, plus one (1) additional loading berth for each additional 200,000 sq. ft. of gross floor area or fraction thereof.
- b. Office and Business Districts. Off-street loading spaces accessory to uses allowed in the several Office and Business Districts shall be provided in accordance with the following minimum requirements.
- (1) Any use listed in a Residence District that is also permitted in any of the several Office or Business Districts shall provide loading spaces as established for that use in the preceding section for Residence Districts.
 - (2) Offices or business establishments containing less than 7,000 sq. ft. of gross floor area shall be provided with adequate facilities, accessible by motor vehicle off any adjacent alley, service drive or open space on the same zoning lot.
 - (3) For the uses listed hereunder, one (1) loading berth shall be provided for buildings containing 7,000 to 40,000 sq. ft. of gross floor area. For buildings containing 40,000 to

100,000 sq. ft. of gross floor area two (2) additional loading berths shall be provided, One additional berth shall be provided for each additional 100,000 sq. ft. of gross floor area or fraction thereof, Each such loading berth for buildings in excess of 10,000 sq. ft. of gross floor area shall be not less than twelve (12) feet in width and fifty-five (55) feet in length.

- (a) Mail order houses.
- (b) Printing and publishing.
- (c) Restricted production and repair.
- (d) Warehousing, storage and wholesale establishments.

- (4) For the uses listed hereunder, one (1) loading berth shall be provided for buildings containing 10,000 to 100,000 sq. ft. of gross floor area. For each additional 100,000 sq. ft. of gross floor area up to 500,000 sq. ft., one (1) additional loading berth shall be provided, plus one (1) additional loading berth for each additional 500 000 sq. ft. of gross floor area or fraction thereof in excess of 500,000 sq. ft.

- (a) Banks and financial institutions.
- (b) Medical and dental clinics.
- (c) Offices, business and professional,
- (d) Recreational buildings and community centers, non-commercial,

- (5) For the uses listed hereunder, one (1) loading berth shall be provided for buildings containing 10,000 to 150,000 sq. ft. of gross floor area, plus one (1) additional loading berth for each additional 150,000 sq. ft. of gross floor area or fraction thereof, Each such loading berth for buildings in excess of 20,000 sq. ft. of gross floor area shall be not less than twelve (12) feet in width by fifty - five (55) feet in length.

- (a) Clubs and lodges (not-for-profit), containing retail shops, convention halls, auditoriums, exhibition halls or business or professional offices (other than accessory office uses).
- (b) Convention halls.
- (c.) Exhibition halls.
- (d) Radio and television stations and studios.
- (e) Recording studios.
- (f) Hotels and motels, containing retail shops, convention halls, auditoriums, exhibition halls or business or professional offices.

- (6) For the uses listed hereunder, one (1) loading berth shall be provided for buildings containing 10,000 to 200,000 sq. ft. of gross floor area, plus one (1) additional loading berth for each additional 200,000 sq. ft. of gross floor area or fraction thereof.

- (a) Clubs and lodges (not-for-profit), containing no retail shops, convention halls, auditoriums,

exhibition halls or business or professional offices (other than accessory).

- (b) Hotels and motels, containing no retail shops, convention halls, auditoriums, exhibition halls or business or professional offices (other than accessory).
 - (c) Meeting halls
 - (d) Schools, music, dance, business and trade.
 - (e) Theaters, indoor.
- (7) Amusement establishments, bowling alleys, swimming pools and skating rinks. For buildings containing 10,000 to 100,000 sq. ft. of gross floor area, one (1) loading berth shall be provided, plus one (1) additional loading berth for each additional 100,000 sq. ft. of gross floor area or fraction thereof.
- (8) Parking lots and garages. There shall be no requirement for off-street loading.
- (9) Stadiums, auditoriums and arenas. For buildings containing 10,000 to 100,000 sq. ft. of gross floor area one (1) loading berth shall be provided, plus one (1) additional loading berth for each additional 100,000 sq. ft. of gross floor area or fraction thereof. Each such loading berth for buildings in excess of 20,000 sq. ft. of gross floor area shall be not less than twelve (12) feet in width by fifty five (55) feet in length.
- (10) Undertaking establishments and funeral parlors. For buildings containing 7,000 to 100,000 sq. ft. of gross floor area, one (1) loading berth shall be provided, plus one (1) additional loading berth for each additional 100,000 sq. ft. of gross floor area or fraction thereof.
- (11) For all other uses, loading facilities shall be provided in accordance with the following schedule:

<u>Gross Floor Area of Establishments</u>	<u>Required Number and Size of Berths</u>	
7,000 to 19,999	1 - 12 ft. X 30 ft.	
20,000 to 34,999	2 - 12 ft. X 30	ft. ea.
35,000 to 59,999	2 - 12 ft. X 55	ft. ea.
60,000 to 100,000	3 - 12 ft. X 55	ft. ea.

For each additional 200,000 sq. ft. of gross floor area or fraction thereof over 100,000 sq. ft. of gross floor area, one (1) additional loading berth shall be provided. Such additional berth will be at least twelve (12) feet in width by fifty-five (55) feet in length.

ARTICLE XV Nonconforming Buildings, Structures and Uses of Land

Section 1. NONCONFORMING BUILDINGS AND STRUCTURES.

- 1.001 GENERAL. A nonconforming building or structure existing at the time of the adoption of the Ordinance may be continued, maintained and repaired, except as otherwise provided in this Article. Nothing in the Ordinance shall prevent the

strengthening or restoring to a safe condition any part of any building or structure declared unsafe by the Building Inspector.

- 1.002 ALTERATION OR ENLARGEMENT OF BUILDINGS AND STRUCTURES. A nonconforming building or structure shall not be added to or enlarged in any manner unless such building or structure, including additions and enlargements, is made to conform to all of the regulations of the District in which it is located; provided, however, that if a building or structure is conforming as to use, but nonconforming as to yards, height or off-street parking space, such building or structure may be enlarged or added to provided that the enlargement or addition complies with the yard, height and off-street parking space requirements of the District in which such building or structure is located. No nonconforming building or structure shall be moved in whole or in part to another location on the lot unless every portion of such building or structure is made to conform to all of the regulations of the District in which-it is located.
- 1.003 BUILDING VACANCY. A building or structure or portion thereof, which is non-conforming as to use, which is or hereafter becomes vacant and remains unoccupied for a continuous period of one (1) year shall not thereafter be occupied except by a use which conforms to the use regulations of the District in which it is located.
- 1.004 DESTRUCTION OF NONCONFORMING BUILDINGS AND STRUCTURES. Any nonconforming building or structure which has been damaged by fire, flood, explosion, earthquake, war, riot or other act of God, may be reconstructed and used as before if it be done within twelve (12), months of such calamity, Unless damaged more than sixty (60) percent of its fair market value, as determined by the Board of Appeals, at the time of such damage, in which case reconstruction shall be in accordance with the provisions of the Ordinance.
- 1.005 CHANGE IN USE. A nonconforming use of a conforming building or structure shall not be expanded or extended into any other portion of such conforming building or structure, nor shall it be changed except to a conforming use. If such a nonconforming use, or a portion thereof,, is discontinued or changed to a conforming use, any future use of such building, structure, or portion thereof, shall be in conformity with the regulations of the District in which such building or structure is located. A vacant or partially vacant conforming building or structure may be occupied by a use for which the building or structure was designed or intended if occupied within-a period of one (1) year after the effective date of the Ordinance, but otherwise it shall be used in conformity with the regulations of the District in which it is located.

The use of a nonconforming building or structure may be changed to a use of the same or a more restricted district classification; but where the use of a nonconforming building or structure is changed to a use of a more restricted district classification it thereafter shall not be changed to a use of a less restricted district classification; provided, however, that a building or structure which was nonconforming as to use at the time of adoption of the Ordinance, may continue to be used as previously.

Section 2. NONCONFORMING USES OF LAND.

A nonconforming use of land, where the aggregate value of all permanent buildings or structures is less than five hundred (500) dollars, existing at the time of adoption of the Ordinance of 1974 shall not be permitted and must be changed immediately to a conforming use.

ARTICLE XVI Additional Requirements, Exceptions and Modifications

Section 1. GENERAL.

The requirements and regulations specified elsewhere in the Ordinance shall be subject to the additional requirements, exceptions, modifications and interpretations contained in this Article.

Section 2. HEIGHT LIMITS.

Height limitations stipulated elsewhere in the Ordinance shall not apply in the following situations.

- 2.001 To barns, silos or other farm buildings or structures on farms, provided these are not less than fifty (50) feet from every lot line; to antennas, church spires, belfries, cupolas and domes, masts, and aerals; to parapet walls extending not more than four (4) feet above the limiting height of the building. However, if, in the opinion of the Zoning Officer, such structure would adversely affect adjoining or adjacent properties, such greater height shall not be authorized except by the Board of Appeals,
- 2.002 To bulkheads, conveyors, derricks, elevator penthouses, water tanks, monitors and scenery lofts; to monuments, fire towers, hose towers, cooling towers, grain elevators., or other structures, where the manufacturing process requires a greater height. Where a permitted use requires greater heights than specified, such may be authorized by the Board of Appeals.

Section 3. FRONT YARD EXCEPTIONS AND MODIFICATIONS.

- 3.001 Front yard requirements do not apply to the following: bay windows or balconies occupying in the aggregate not more than one-third (1/3) of the front wall, provided that these projections come entirely within planes drawn from both main corners of the front wall, making an interior angle of twenty-two and one-half (22 1/2) degrees in the horizontal plane with the front wall; or chimneys, flues, belt courses, downspouts, sills, pilaster, uncovered porches; trees or plantings or similar features not over three (3) feet higher than the average finished grade and five (5) feet distant from every lot line.
- 3.002 In any district where the average depth of two (2) or more existing front yards on lots within one hundred (100) feet of the lot in question and within the same block front is less than the least front yard depth prescribed, front yards may be varied. The depth of the front yard on such lot shall not be less than the average depth of said existing front yards or the average depth of the two (2) lots immediately adjoining or, in the case of a corner lot, the depth of the front yard on the lot immediately adjoining; provided, however, that the depth of a front yard on a lot in any "R" District shall be at least ten (10) feet.
- 3.003 Fences may be erected between the building line and the front lot line to a height not exceeding forty-eight (48) inches, except that no such fence shall be erected within thirty (30) feet of a street intersection from the front lot line to the building line, except that no such fence shall be erected within thirty (30) feet of a street intersection.

Section 4. SIDE YARD EXCEPTIONS AND MODIFICATIONS.

- 4.001 Along any district boundary line, any abutting side yard on a lot in the less restricted district shall have a minimum required width equal to that required in

the more restrictive district.

- 4.002 On a corner lot the minimum required width of a side yard abutting a street shall be equal to the required front yard depth of such corner lot. No part of any accessory building shall be nearer a side lot line abutting a street than the minimum required depth on any front yard required along such street.
- 4.003 The following projections or structures may be permitted in side yards:
- a. Accessory buildings or structures subject to the provisions contained elsewhere in the Ordinance.
 - b. Fences, planting or walls not over six (6) feet above the average natural grade.
 - c. Fire escapes, three (3) feet or more from the side lot line. Bays and balconies not extending more than three (3) feet from the building, provided these projections are entirely within planes drawn from both main corners of the side wall, making an interior angle of twenty-two and one-half (22 1/2) degrees in the horizontal plane with the side wall, The sum of the lengths of such projection shall not exceed one-third (1/3) of the length of the wall of the principal building.
 - d. Chimneys, flues, belt courses, downspouts, sills, pilasters, and lintels, ornamental features, cornices, gutters and the like into or over a required side yard not more than one and one-half (1 1/2) feet.
 - e. Terraces, steps, uncovered, porches, stoops or similar features, not higher than the elevation of the ground story of the building and at least three (3) feet distant from a side lot line.

Section 5. REAR YARD EXCEPTIONS AND MODIFICATIONS.

The following projections or structures may be permitted in rear yards:

- 5.001 Accessory buildings or structures subject to the provisions contained elsewhere in the Ordinance.
- 5.002 Fences, or walls, not over six (6) feet above the average natural grade.
- 5.003 Fire escapes, not more than six (6) feet wide, bays and balconies not more than three.(3) feet wide, provided these projections are entirely within planes drawn from both main corners of the rear wall, making an interior angle of twenty-two and one-half (22 1/2) degrees in the horizontal plane with the rear wall. The sum of the lengths of such projections shall not exceed one-half (1/2) of the width of the rear wall,
- 5.004 Chimneys, flues, belt courses, downspouts, sills, pilasters, lintels, ornamental features, cornices, eaves, and the like, into or over a required rear yard not more than one and one-half (1 1/2) feet.
- 5.005 Terraces, steps, uncovered porches, or similar features extending not more than ten (10) feet into a required rear yard, but not closer than six (6) feet to an alley or ten (10) feet to a rear lot line, if there is no alley.

Section 6. SIGNS.

6.001 GENERAL PROVISIONS.

- A. No sign shall be erected or maintained at any location where by reason of its position, wording, illumination, size, shape or color it may impair, obstruct, obscure or be confused with any authorized traffic control sign, signal or device and shall not be located in the traffic visibility area at corner

lots, as herein provided.

- B. No on building, on-site or off-site sign or billboard having flashing, scrolling, or animated illumination shall be permitted within any zoned district of the Village, except as provided in Section 6.005 Message Sign. Time and temperature signs are exempt.
- C. No sign or advertising device shall be erected or placed within one hundred (100) feet of any "R" District.
- D. A banner is any sign of any fabric, plastic or similar material that is mounted to a pole or poles or to a building by one or more edges of the fabric. A banner, not to exceed twenty (20) square feet is allowed in a "B" district, if adjacent to any "R" district, otherwise a banner not to exceed thirty two (32) square feet is allowed in a "B" or "I" district. Banners are permitted in a commercial or industrial district, with no more than one (1) banner per building street frontage, at a business location. All banners must be at least ten (10) feet from a property line adjacent to any "R" district.
- E. The flag of the United States, the State of Illinois, foreign nations having diplomatic relations with the United States, and any other flag adopted or sanctioned by an elected legislative body of competent jurisdiction are permitted provided that such a flag shall not exceed sixty (60) square feet in area and shall be flown from a pole, the top of which is not more than five (5) feet higher than the building height of the zoning district in which it is located. Any allowable flag shall be separated from any other allowable flag by at least fifty (50) feet horizontally, unless on the same pole, in which case only two (2) flags are allowed per pole. Any flag not included above shall be considered a sign and shall be subject to regulation as such.
- F. Temporary signs are signs that are used only for a limited time period and are designed to be affixed, mounted or installed to a wall, pole or other mounting or support structure for purposes of non-permanent display.
 - 1. Non-electric temporary signs placed on the ground, or in windows of buildings with commercial or industrial uses which advertise sales, specials, or closeouts shall be restricted to illumination by normal lighting of the building or street lighting. Such signs shall be removed upon termination of the sale, special, or closeout or for a period not to exceed thirty (30) days, whichever time is occurs first.
 - 2. Temporary signs prior to the election pertaining to the candidacy of federal, state and local elected officials or other voting issues, shall be allowed only in compliance with Illinois state laws. Said signs shall be removed, as provided by law, after the election.
 - 3. Temporary signs shall be located on private property. No part of a sign shall be located on the public right-of-way and in the required traffic visibility area, herein provided.
- G. Permits required. It shall be unlawful for any person to erect, structurally alter, or relocate within the Village any permanent sign, temporary sign, or banner, except as identified herein, without first obtaining any required permit and payment of permit fees required here under.
 - 1. Duration. If the work authorized under an erection permit has not been completed within twelve (12) months after date of issuance, said permit shall become null and void, and a new permit will be required.

2. Permit and fees for Banners. A permit and an associated fee of twenty dollars (\$20.00) will be required for the thirty (30) day placement of any banner within the Village limits of Coal Valley. Permits for banners will be allowed per business establishment during a one-year period (1 May – 30 April).
3. The following signs are exempt from the requirements to obtain a permit before installation:
 - a. Signs used by any Federal, State and/or Local government authority.
 - b. Non-illuminated projecting signs two and a half (2.5) square feet or less, located at least eight (8) feet above grade.
 - c. Temporary signs or banners erected to “welcome home” an individual(s), recognize an individual’s birthday, or anniversary and are in place no longer than seven (7) days.
 - d. Temporary signs for garage sales and reunions and are in place no longer than seven (7) days.
 - e. Temporary signs, used for Federal, State and Local Elections.

- I. BUSINESS CLOSING. Any type of sign and/or sign face shall be removed within ten (10) days of the closing of said business or operations for the applicable sign(s), except the address of the property shall remain.

6.002 RESIDENCE DISTRICTS. In any Residence District the following regulations shall apply:

- A. For one-family and two-family dwellings, an identification sign not exceeding two (2) square feet in area shall be permitted for each dwelling unit. Such sign shall indicate nothing other than the name of the occupants and/or address of the premises.
- B. For multiple-family and group dwellings, an identification sign not exceeding nine (9) square feet in area shall be permitted. Such sign may have indirect lighting and may indicate name of the complex, owner, phone contact, occupants, address of the premises and/or vacancy status.
- C. A non-illuminated sign to announce a subdivision development is permitted not exceed 32 square feet in size. Such signs shall be removed when 80 percent of the lots of that subdivision are sold, the remaining lots can have individual lot signs pursuant to this ordinance.
- D. Sandwich boards or identification signs shall be permitted to announce the activities of a church, school or other public building or use. These types of signs can be put up 3 weeks prior to the event but must be removed within 7 days of the completion of the event.
- E. Banners, flags and pennants will be allowed in residential districts in conjunction with a demonstration of model homes in a new subdivision

before the opening of such demonstration and after and not to exceed a total period of sixty (60) days in any calendar year. Such banners, flags and pennants shall be removed when 80 percent of the lots of that subdivision are sold, the remaining lots can have individual lot signs pursuant to this ordinance.

- F. Real Estate signs, not to exceed five (5) square feet, for the sale or rental of a property in residential zoned areas of the Village are considered temporary and must be removed within 30 days once a property sale is closed or rented.
- G. All other signs are prohibited in "R" Districts.

6.003 OFFICE AND BUSINESS DISTRICTS. The following regulations shall apply with respect to Office and Business Districts:

- A. In the "O-1" District and the "B-1" District, on-building signs shall be permitted, but shall not exceed one and one-half (1 1/2) square feet of surface area for each one (1) lineal foot of building face. Off-site signs such as billboards are prohibited. An on-site sign is permitted but will not exceed 36 sq. ft. in size per side excluding base or pole identifying/advertising the business. Multiple businesses on the same property are required to have a "monument" sign for all businesses at that location. The monument sign shall not exceed sixteen (16) feet in height from the ground to the top of the sign and six (6) feet in width and sixteen (16) inches in depth.
- B. In the "B-2" District, on buildings and on-site signs are permitted. Refer to Paragraph 6.003, Sub Section (a) for type and size limitations. Off-site signs are permitted in accordance with the standards set forth in Section 6.005, Sub Section (a), only by Special Use Permit issued in accordance with the provisions of Section 10 of Article XVIII Administration.
- C. For Sale/Lease signs on real estate in areas zoned B-1, B-2 and O-1 are permitted and will not exceed 32 square feet in size. Such signs will be removed within 30 days of the closing on the sale/lease of the property.

6.004 INDUSTRIAL DISTRICT. The following regulation shall apply with respect to the Industrial District: On building and on-site signs are permitted, see paragraph 6.003. Sub Section (a) for size limitations. Off-site signs and advertising devices are permitted only by Special Use Permit issued in accordance with the provisions of Section 10 of Article XVIII Administration.

- A. For Sale/Lease signs on real estate in areas zoned Light Industrial are permitted and will not exceed 32 square feet in size. Such signs will be removed within 30 days of the closing on the sale/lease of the property.

6.005 A MESSAGE SIGN is an intermittent changeable copy type sign that is permitted in a "B" or "I" district, provided:

- A. Said sign contents may incorporate a change of graphics and/or wording, including possible scrolling, or animated illumination, and;
- B. Said sign shall not have a bright white light(s) or bright white background

lighting between the hours of sunset and sunrise, which may distract driver(s) or create a nuisance, and shall not contain any flashing light(s) component. It may contain exposed lamp or inert gas tubes or any combination thereof, provided that the exposed lamp does not exceed 11 watts or the inert gases tube does not exceed 60 milliamps. Where inside frosted lamps with a diffusing screen are used no lamp shall exceed 25 watts. Intensification of illumination by reflectorized lamps or by external reflectors is prohibited.

6.006 OFF-SITE SIGN AND ADVERTISING DEVICE STANDARDS. In addition to any conditions that may be imposed under Section 10 of Article XVIII Administration, off-site signs and advertising devices must comply with the following requirements and conditions:

- A. Off-site signs and advertising devices shall not exceed 25 feet in height, from the ground level to the top of sign, and 300 square feet per face.
- B. Off-site signs and advertising devices classified as billboards shall comply with the minimum yard requirements of the zoning district in which they are located. Setback requirements for other off-site signs and advertising devices shall be determined during the Special Use Permit process.
- C. Along any highway designated by the State of Illinois as a freeway or interstate highway and along any street or highway designated a major arterial by the Village's Comprehensive Plan there shall be a minimum of 1,000 feet between off-site signs and advertising devices classified as billboards.

6.007 VARIANCES AND SPECIAL USE PERMITS. Any business or resident in the Village of Coal Valley can request a variance or Special Use Permit from this Ordinance, as provided.

Section 7. STREET NUMBERS.

Every new residential, commercial and industrial establishment built on any property in the Village subsequent to the date of the adoption of the Ordinance shall receive a street number assigned by the Zoning Officer in accordance with the current street numbering system of the Village. This number will be assigned at the time a Zoning Certificate and/or Building permit is issued and will be recorded thereon.

Section 8. ADULT REGULATED USES:

- A. Regulated Uses: The Supreme Court of the State of Illinois has judicially confirmed that the purpose of these amendments as hereinafter stated serves a valid governmental interest. In the development and execution of this Ordinance, it is recognized that there are some uses which, because of their very nature, are recognized as having serious objectionable operational characteristics, particularly when several of them are concentrated under certain circumstances, thereby having a deleterious effect upon the adjacent areas, particularly adjacent and nearby residential and commercial areas where nurseries, schools, nursing homes, and churches and similar uses are located, Proper and realistic zoning and special regulations of these uses are necessary to insure that these adverse effects will not contribute to the blighting or downgrading of the surrounding neighborhood, or discouraging normal development of undeveloped areas. These special regulations are itemized in this Section. To prevent such uses from having an adverse effect upon the adjacent and nearby residential and commercial areas above referred to, such uses are hereby established as

permitted uses in the industrially zoned area of I-1 Light Industrial District at the easterly portion of the Village located on U.S. Highway 6, west of East 11th Street, as shown on the attached zoning district map as the hatched area, and in the overlay B-2(A) General Business, Adult Use District, as established by this Ordinance. In addition, any adult regulated use facility shall be surrounded by a perimeter buffer at least 50 feet wide and 6 feet high, consisting of shrubbery or plantings, to the satisfaction of the Planning Commission. Uses subject to these controls, hereafter referred to as adult regulated uses, are as follows:

Adult Bookstore
Adult motion picture theater
Adult mini-motion Picture Theater
Adult entertainment facility featuring nude or semi nude dancing or modeling

Such adult regulated uses as set forth above are hereby prohibited from all zoning districts within the Village, except as permitted in the overlay B-2 (A) General Business, Adult Use District, and I-1 Light Industrial District, as shown on the attached zoning district map in the hatched area.

- B. Uses Presently Prohibited: None of the provisions of the Coal Valley Zoning Ordinance as amended pertaining to adult uses shall be construed to permit any use or activities that presently are, or in the future may be, prohibited by law.
- C. Prohibition of Graphic Materials: Any building or structure, within which an adult regulated use is lawfully operated, shall not use or display graphic sexual material, photos or drawings on the exterior of said business,, but shall designate said business to be an “adult business” and admission granted to adults only.
- D. No person, firm, corporation or association holding a license under this Ordinance shall permit any patron to bring onto the licensed premises or possess any fire arms or weapons on the premises, any alcohol or any beverage containing alcohol, or any cannabis or controlled substance, as defined in the Cannabis Control Act.

ARTICLE XVII Planned Unit Developments

Section 1. PURPOSE AND INTENT.

The purpose and intent of the Planned Unit Development (PUD) regulations is to permit and encourage the design and development of residential, commercial and industrial areas of an equal or better quality than permitted under traditional zoning regulations as otherwise provided in the Ordinance. The PUD regulations are intended to permit flexibility and imagination-in the design of a development; to encourage a more efficient use of land, layout of utilities and streets; and to preserve the natural features of the land to a greater extent than often experienced in the past by Conventional development regulations.

Section 2. LOCATIONAL STANDARDS; MINIMUM SIZE.

A PUD may be located in any zoning district, except the "R-4" Mobile Home Park District, in accordance with the standards and requirements contained in this Article and shall meet the, following minimum size requirements:

Zoning District	Minimum Size
"A-1" Agricultural District	20 Acres
"R-1" One-Family Residence District	10 Acres
"R-2" Two-Family Residence District	5 Acres
"R-3" Multiple-Family Residence District	2 Acres
"O-1" Office District	1 Acre
"B-1" Limited Business District	1 Acre
"B-2" General Business District	1 Acre
"I-1" Light Industrial District	10 Acres

Section 3. USE REGULATIONS.

- 3.001 "A" AND "R" DISTRICTS. A PUD in an "A-1", "R-1", "R-2" or "R-3" District may contain one-family, two-family and multiple-family dwellings. Additionally, a PUD located in an the "A-1" District may contain the other Principal Uses permitted in the "A-1" District and, by special use permit, those Special Uses permitted in the "A-1" District; a PUD in an "R-1" District may contain the other Principal Uses permitted in the "R-1" District and, by special use permit, those Special Uses permitted in the "R-1" District; a PUD in an "R-2" District may contain the other Principal Uses permitted in the "R-2" District and, by special use permit, those Special Uses permitted in the "R-2" District; and a PUD in an "R-3" District may contain the other Principal Uses permitted in the "R-3" District and, by special use permit, those Special Uses permitted in the "R-3" District.
- 3.002 "O" AND "B" DISTRICTS. A PUD in an "O-1" District may contain those uses listed as Principal Uses in a "O-1" District and, by special use permit, those Special Uses permitted in the "O-1" District; a PUD in a "B-1" District may contain those uses listed as Principal Uses in a "B-1" District and, by special use permit, those Special Uses permitted in the "B-1" District; and a PUD located in a "B-2" District may contain those uses listed as Principal Uses in a "B-2" District and, by special use permit, those Special Uses permitted in the "B-2" District.
- 3.003 "I" DISTRICT. A PUD in an "I-1" District may contain those uses listed as Principal Uses in an "I-1" District. A PUD in an "I-1" District may not contain those uses listed as Prohibited Uses in an "I-1" District.'

Section 4. DESIGN STANDARD AND REQUIREMENTS.

PUD's shall be designed and developed in accordance with the following standards and requirements.

- 4.001 The overall plan shall be comprehensive, embracing land, buildings and improvements and their interrelationship.
- 4.002 The land area per dwelling unit shall not be less than the lot area per dwelling unit provided by the Ordinance for the district in which the PUD is located. A PUD located in two or more districts shall have a land area per dwelling unit prorated in accordance with the amount of the PUD in each district. For the purpose of computing land area per dwelling unit, all land area within the boundaries of the PUD may be included except that area which is devoted to public streets and other lands dedicated for public use.
- 4.003 The specific yard, frontage and height requirements of the Ordinance shall not apply in a PUD except that around the perimeter of a PUD yards shall be provided in a dimension equal to or greater than that required by the Ordinance for the adjoining zoning district. Additionally, when the uses and height of buildings around the perimeter of a PUD are less restrictive than or greater than in the adjoining zoning district, yard dimensions greater than those required in the adjoining zoning district may be required. Within the interior of a PUD, open spaces shall be provided which in the aggregate equal or exceed that which would have resulted from the application of conventional yard requirements.
- 4.004 The specific off-street parking and loading requirements of the Ordinance shall apply to a PUD.
- 4.005 The various elements of A PUD shall be well integrated, properly oriented, and properly related to the topographic and natural landscape features of the site.
- 4.006 A PUD shall be well related to existing and planned land use and circulation patterns and shall not constitute a disrupting element with regard to the character of adjacent areas,
- 4.007 The location and design of buildings and structures shall facilitate the coordination and installation of public street and utility improvements both within and outside the site.
- 4.008 The internal street system shall be designed for the efficient and safe flow of vehicles without having a disruptive influence on the activities and functions of the common areas and facilities.
- 4.009 Parks and recreational areas and facilities shall be located adjacent to dwelling units or be easily accessible thereto.
- 4.010 The location of community facilities, when such are provided, shall be well related to open space areas and easily accessible to pedestrians.

Section 5. COMMON OPEN SPACE.

The application for final approval shall be accompanied by a detailed draft of a conveyance in which the developer shall deed the common open space to a trustee, which trustee shall be a corporate fiduciary or an association of owners in the PUD. The conveyance shall specify the method(s) of maintenance and utilization of the common open spaces within the PUD, including the method by which the maintenance will be financed. Such conveyance shall be recorded prior to the final plat of subdivision and entered thereon.

Section 6. CONCEPT PLAN AND PRE-APPLICATION CONFERENCE.

Prior to the submission of a formal application and preliminary plan, a PUD developer shall submit a concept plan which shall define the area proposed to be developed; the acreage of the site; the number of dwelling units proposed; the general location and size of any proposed buildings and structures; the location of proposed public streets, private drives and parking areas; the location of public and/or private recreation and community facilities; and the topography of the site. The developer shall meet with the Zoning Officer, the Subdivision Administrative Officer, and the Village Engineer to review such concept plan and determine its general consistency with the Zoning and Subdivision Ordinances and other applicable laws and ordinances of the Village and the State of Illinois. Following such pre-application conference, the proposed concept plan shall be forwarded to the Planning Commission for review with comments and recommendations by the Zoning Officer, Subdivision Administrative Officer and Village Engineer as are appropriate. Upon approval of the concept plan by the Planning Commission, which may be granted by the Planning Commission subject to such conditions as may be necessary to make the PUD acceptable under the provisions of Village regulations, the developer may proceed to prepare and submit a formal application and preliminary plan.

Section 7. APPLICATION AND PRELIMINARY PLAN.

Subject to the concept plan approval granted in Section 6, a developer may submit an application for a PUD which shall be accompanied by a preliminary plan of the proposed development. The application and preliminary plan shall be submitted to the Zoning Officer who shall review the application and preliminary plan to determine its conformance with the concept plan approved by the Planning Commission, including any conditions specified at the time of such approval. If substantially in conformance with the concept plan approval, the Zoning Officer shall forward the application and preliminary plan to the Planning Commission.

- 7.001 APPLICATION. The application shall include such information and shall be in such form as determined from time to time by the Planning Commission, but shall include the name of the PUD; the name of the developer; the name of the owner of the property to be developed; the name of the engineer, planner, surveyor, architect and/or other professionals involved in the design of the PUD; a legal description of the property; and a narrative description of the proposed PUD and its relationship to the surrounding neighborhood and to the community.

- 7.002 PRELIMINARY PLAN. A preliminary plan shall be at a scale not smaller than 100 feet to the inch and shall contain the following information:
 - a. Proposed name of the PUD and the name, addresses and telephone number of the person or firm preparing the preliminary plan,
 - b. North point, scale and date.
 - c. Boundaries of the property involved; all existing easements, section lines and property lines; existing streets, buildings, watercourses, waterways or lakes, and other physical features in and adjoining the property,
 - d. Topography in 2-foot contours.
 - e. Location and sizes of sanitary sewers, storm sewers, water mains, culverts and other underground structures in and adjoining the property.
 - f. General location of different uses, dwellings by type, recreational and commercial uses and other non-residential uses.
 - g. General plan of development indicating the location of buildings and structures by type drawn to scale, proposed streets and driveways, off-street parking areas, recreation and other open space areas, and any other physical features related to the development of the PUD,

- h. Tabulation of the number of acres (and the percentage thereof) proposed to be devoted to dwellings (by type), commercial and industrial uses, other non-residential uses, streets, recreational open spaces and other uses.
- i. Tabulation of the total number of dwelling units of various types in the PUD, the proposed building coverage for the various uses and the overall projected density in dwelling units per acre.

Section 8. PRELIMINARY PLAN REVIEW AND APPROVAL PROCESS.

Upon receipt of the application and preliminary plan from the Zoning Officer, the Planning Commission shall review the material submitted to determine its general acceptability and, if necessary, request additional information. At the time of this review, the applicant shall be present to discuss the proposal with the Commission and to answer any questions that might arise,

- 8.001 PUBLIC HEARING; NOTICE. Following review of the application and preliminary plan, the Planning Commission shall hold at least one (1) public hearing on the proposed PUD. Notice of time and place of such hearing shall be published not less than fifteen (15) nor more than thirty (30) days preceding such hearing in the official newspaper of the Village. The published notice may be supplemented by such additional notices as the Planning Commission may deem appropriate.
- 8.002 RECOMMENDATION TO THE VILLAGE BOARD. Following the close of the public hearing, the Planning Commission shall consider the proposed PUD as submitted by the applicant and the information obtained from the public hearing. Upon consideration, it may recommend to the Village Board approval of the application and preliminary site plan for the proposed PUD as submitted by the applicant; it may recommend approval subject to specific changes and alterations being made by the applicant in the final development plan; or it may recommend disapproval of the proposed PUD. If it recommends disapproval, the Planning Commission shall state its specific reasons for such recommendation. All recommendations of the Planning Commission to the Village Board shall be in writing and shall be attached to a copy of the application and preliminary site plan.
- 8.003 ACTION BY THE VILLAGE BOARD. The Village Board shall consider a proposed PUD upon recommendation of the Planning Commission. The Board may approve or disapprove an application and preliminary site plan for a PUD and, if it approves, may attach such conditions as it deems necessary to make the proposed PUD comply with the requirements of the Ordinance.
- 8.004 EFFECT OF DISAPPROVAL. If disapproved, no PUD may be proposed for the same property for a period of one (1) year unless it is determined by the Planning Commission, following a concept plan review and pre-application conference, that any new PUD proposal is substantially different from the one previously disapproved.

Section 9. FINAL PLAN REVIEW AND APPROVAL PROCESS.

Following approval of the application and preliminary plan, but no more than one (1) year thereafter, a developer may submit a proposed PUD for final approval. The proposed PUD in its final form shall comply in all respects with the provisions of this Article and any conditions which may have been included in the Village Board's approval of the application and preliminary site plan.

- 9.001 REVIEW BY THE PLANNING COMMISSION. Following review by the Zoning Officer, Subdivision Administrative Officer, and the Village Engineer to determine that all necessary information has been submitted, the Zoning Officer shall forward the proposed final plans for the PUD to the Planning Commission for review and recommendation. The Planning Commission shall review the final plans in terms of the requirements of this Article and the approved application and preliminary site plan. The Commission shall act upon the final plans only when they are substantially in conformance with this Article and the approved application and preliminary site plan. Following review, the Commission may recommend to the Village Board approval of the final plans as submitted by the developer; it may recommend approval subject to such conditions as to bring it into compliance with this Article and the approved application and preliminary site plan; or it may recommend disapproval of the proposed PUD. If it recommends disapproval, the Commission shall state specific reasons for such recommendation. All recommendations of the Commission to the Village Board shall be in writing and shall be attached to a copy of the final plans for the PUD.
- 9.002 ACTION BY THE VILLAGE BOARD. The Village Board shall consider the final plans of a PUD upon recommendation of the Planning Commission. The Board may approve or disapprove the final plans and, if it approves, may include such conditions as it deems necessary to make the proposed PUD comply with the requirements of this Article and the approved application and preliminary site plan.
- 9.003 EFFECT OF DISAPPROVAL. If disapproved, no PUD may be proposed for the same property for a period of one (1) year unless it is determined by the Planning Commission, following a concept plan review and pre-application conference, that a proposed new PUD is substantially different from the one previously disapproved.

ARTICLE XVIII Administration

Section 1. ORGANIZATION.

The administration of the Ordinance is vested in the following officers and organizations of the Village: the Zoning Officer; the Board of Appeals; the Planning Commission, and the Village Board of Trustees.

Section 2. ZONING OFFICER.

2.001 APPOINTMENT OF THE ZONING OFFICER. The Zoning Officer shall be appointed by the Village President with the advice and consent of the Village Board of Trustees.

2.002 POWERS AND DUTIES OF THE ZONING OFFICER. The Zoning Officer shall enforce the Ordinance and, in addition thereto and in furtherance of such enforcement authority, shall:

- a. Issue all zoning certificates and make and maintain records thereof;
- b. Assign street numbers and maintain records thereof;
- c. Issue all occupancy permits and make and maintain records thereof;
- d. Conduct inspections of buildings, structures and use of land to determine compliance with the terms of the Ordinance;
- e. Maintain permanent and current records of the Ordinance including, but not limited to, all maps, amendments, special uses, variances, appeals, and applications therefor;
- f. Provide and maintain a public information service relative to all matters arising out of the Ordinance;
- g. Forward to the Planning Commission all applications for amendments to the Ordinance;
- h. Transmit to the Board of Appeals applications for appeals, variances, special uses or other matters on which the Board of Appeals is required to pass under the Ordinance;
- i. Issue occupancy permits regulating the erection of buildings or structures and use of land for periods not to exceed ten (10) days for specific purposes such as temporary carnivals, church, charity and revival meetings which are not detrimental to the public health, safety, morals, comfort, convenience or general welfare; provided, however, that said uses or operations and any incidental temporary structures or tents are in conformance with all other ordinances and codes of the Village; and
- j. Initiate, direct and review from time to time studies of the provisions of the Ordinance and make recommendations to the Planning Commission for improving the Ordinance in its applicability to current and changing conditions.

Section 3. SOIL AND WATER CONSERVATION DISTRICT REVIEW.

Any person who petitions the Village for a variation, amendment or other relief from the Ordinance shall furnish a copy of such petition or proposal to the Rock Island County Soil and Water Conservation District for its review and comment. The District shall be given no more than thirty (30) days from the time of receipt of the petition or proposal to issue its written opinion concerning the petition or proposal and to submit the same to the Zoning Officer for further action. If no opinion is tendered in that period of time, the Zoning Officer may proceed to act on the petition without further reference to the District.

Section 4. BOARD OF APPEALS.

- 4.001 CREATION. The Board of Appeals, as established under the applicable provisions of the Illinois Revised Statutes, is the Board of Appeals referred to in the Ordinance.
- 4.002 MEMBERSHIP. The Board of Appeals shall consist of seven (7) members appointed by the Village President with the consent of the Village Board. At least two (2) such members shall be named from among the members of the Village Planning Commission. The members of the Board of Appeals shall serve for overlapping terms of five (5) years. One of the members shall be designated by the Village President with the consent of the-Village Board as Chairman and shall hold office until his successor is appointed.
- 4.003 JURISDICTION. The Board of Appeals is hereby vested with the following jurisdiction and authority:
- a. To hear and pass on all applications for Special Use Permits in the manner prescribed by the Ordinance;
 - b. To hear and decide appeals from any order, requirement, decision or determination made by the Zoning Officer under the Ordinance;
 - c. To hear and pass on the applications for variance from the terms provided in the Ordinance in the manner prescribed and subject to the standards established herein;
 - d. To interpret the provisions of the Ordinance, including the Zoning Map, in the manner provided for herein; and
 - e. To hear and decide all matters referred to it or upon which it is required to pass under the Ordinance, as prescribed by the applicable provisions of the Illinois Revised Statutes.
- 4.004 MEETINGS AND RULES. All meetings of the Board of Appeals shall be held at the call of the Chairman at such time as the Board may determine. All meetings and hearings conducted by the Board shall be open to the public. Any person may appear and testify at the hearing either in person or by duly authorized agent or attorney. The Chairman, or in his absence, the Acting Chairman, may administer oaths and compel the attendance of witnesses. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact. It shall also keep records of its hearings and other official actions. A copy of the very rule or regulation, order, requirement, decision, or determination of the Board shall be filed immediately in the office of the Village Clerk and shall be a public record. The Board shall adopt its Own rules and procedures, provided they are not in conflict with the Ordinance or with the applicable Illinois State Statutes. It may select or appoint such officers as it deems necessary.
- 4.005 FINALITY OF DECISIONS OF THE BOARD OF APPEALS. All decisions and findings of the Board of Appeals on appeals, applications for a variance or applications for special use, shall, after a hearing, be final administrative decisions and shall be subject to such judicial review as may be provided by law.

Section 5. PLANNING COMMISSION.

- 5.001 CREATION. The Planning Commission of the Village, as established under the applicable provisions of the Illinois Revised Statutes and the Village Code, is the Planning Commission referred to in the Ordinance.

- 5.002 JURISDICTION. The Planning Commission is hereby vested with the following jurisdiction and authority:
- a. Hear all applications for amendments to the Ordinance and report its findings and recommendations to the Village Board;
 - b. On its own initiative, propose and recommend to the Village Board amendments to the provisions of the Zoning Ordinance, provided that it has first held a public hearing thereon;
 - c. Receive from the Zoning Officer his recommendations as related to the effectiveness of the Ordinance and report its conclusions and recommendations to the Village Board; and
 - d. Hear and decide all matters upon which it is required to pass under the Ordinance.

Section 6. PRESIDENT AND VILLAGE BOARD.

The President and Village Board of trustees shall be vested with the following jurisdiction and authority:

- 6.001 Receive and decide upon all recommendations from the Planning Commission concerning amendments to the Ordinance;
- 6.002 Receive from the Planning Commission all recommendations concerning the effectiveness-of the Ordinance; and
- 6.003 Decide all matters upon which it is required to pass under the Ordinance.

Section 7. ZONING CERTIFICATES AND OCCUPANCY PERMITS.

- 7.001 ZONING CERTIFICATES. Except as hereinafter provided, no permit pertaining to the use of land or buildings shall be issued by any officer, department or employee of the Village unless the application for such permit has been examined by the Zoning Officer and receives his certification that it and complies with all provisions of the Ordinance. Any permit or certificate issued in conflict with the provisions of the Ordinance shall be null and void.
- 7.002 OCCUPANCY PERMITS. No building, or addition thereto, constructed after the effective date of the Ordinance shall be occupied, and no land vacant on the effective date of the Ordinance shall be used for any purpose until an occupancy permit has been issued by the Zoning Officer. No change in a use other than that of a permitted use to another similar permitted use, shall be made until an occupancy permit has been issued by the Zoning Officer. Every occupancy permit shall state that the use or occupancy complies with the provisions of the Ordinance.
- a. APPLICATION FOR OCCUPANCY PERMIT. Every application for a building permit as required by the Building Code of the Village shall be deemed to be an application for an occupancy permit. For a new use of land where no building permit is required, an application for an occupancy permit shall be made directly to the Zoning Officer.

- b. **ISSUANCE OF OCCUPANCY PERMIT.** No occupancy permit for a building, or portion thereof, constructed after the effective date of the Ordinance, shall be issued until construction has been completed and the premises inspected and certified by the Zoning Officer to be in conformity with the plans and specifications upon which the zoning certificate was based. Pending the issuance of an occupancy permit, a temporary occupancy permit may be issued, to be valid for a period not to exceed six (6) months from its issue date, during the completion of any addition or during partial occupancy of the premises. Reasons for refusal to issue an occupancy permit must be in writing and must be forwarded to the applicant no later than fourteen (14) days after the request for an occupancy permit has been submitted.

Section 8. VARIANCES.

- 8.001 **PURPOSE AND FINDINGS OF FACT.** The Board of Appeals, after a public hearing to determine the facts in any request for a variance, may vary the regulations of the Ordinance in harmony with their general purpose and intent, but only in the specific instances hereinafter set forth, and only when the Board makes its findings of fact in accordance with the standards hereinafter prescribed and issues them in writing, and further, only when it finds that there are practical difficulties and particular hardships imposed by carrying out the strict letter of the regulations of the Ordinance.
- 8.002 **APPLICATION FOR VARIANCE AND NOTICE OF HEARING.**
 - a. An application for a variance shall be filed in writing with the Zoning Officer. The application shall contain such information as the Board of Appeals may require.
 - b. Notice of the time and place of the public hearing shall be published at least once in the official newspaper, not less than fifteen (15) days nor more than thirty (30) days before the hearing. The published notice may be supplemented by such additional forms of notice as the Board may deem appropriate.
- 8.003 **STANDARDS FOR VARIANCE.** The Board of Appeals shall not vary the regulations of the Ordinance, as authorized in this Section, unless there is evidence presented to it in each specific case that:
 - a. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience if the strict letter of the regulations were to be carried out;
 - b. The conditions upon which a petition for a variation is based are unique to the property for which the variance is sought, and are not applicable, generally, to other property within the same zoning classification;
 - c. The purpose of the variance is not based exclusively upon a desire to make more money out of the property;
 - d. The alleged difficulty or hardship is caused by the Ordinance and has not been created by any persons presently having an interest in the property;

- e. The granting of a variance will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; and
 - f. The proposed variance will not impair an adequate supply of light and air to adjacent property, substantially increase the congestion of the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values within the neighborhood.
- 8.004 AUTHORIZED VARIANCES. Variances from the regulations of the Ordinance shall be granted by the Board of Appeals only in accordance with the standards established in this Section and may be granted only in the following instances and in no others:
- a. YARD DIMENSION. To permit any yard or setback of less dimension than required by the applicable regulations;
 - b. HEIGHT. To permit any building or structure to exceed the height limitations imposed by the applicable regulations;
 - c. LOT SIZE. To permit the use of a lot or lots for a use otherwise prohibited solely because of the insufficient area or width of the lot or lots, but in no event shall the respective area and width of the lot or lots be less than fifty (50) percent of the required area and width;
 - d. PARKING. To permit the same off-street parking facility to qualify as required facilities for two (2) or more uses, provided that substantial use of such facility by each user does not take place at approximately the same hours of the same days of the week;
 - e. PARKING OR LOADING SPACE. To reduce the applicable off-street parking or loading facilities required by not more than one (1) parking space or loading space, or to reduce such facilities by no more than twenty percent (20%). whichever number is greater;
 - f. PARKING LOCATION. To increase by not more than twenty-five percent (25%) the maximum distance that required parking spaces are permitted to be located from the use served; and,
 - g. FLOOR AREA. To increase by not more than ten percent (10%) the maximum gross floor area of any use if so limited by the applicable regulations.
 - h. SCREENING. To modify the screening requirements in an appropriate manner in a particular situation to achieve a suitable screening and buffer area between applicable zoning districts.
- 8.005. GRANTING A VARIANCE. Once a quorum of at least four (4) members of the Board of Appeals is reached, a majority vote of the quorum shall be necessary to grant a variance. A tie vote will result in the variance request being deferred to a later day. No order of the Board of Appeals granting a variance shall be valid for a period longer than twelve (12) months from the date of such order unless the building permit is obtained within such period and the erection or alteration of subject building is started or the use is commenced within such period.”

- 8.006 EFFECT OF DENIAL OF VARIANCE. Application for a variance that has been denied wholly or in part by the Board of Appeals shall not be resubmitted for a period of one (1) year from the date of said order of denial, except on the grounds of new evidence found to be valid by the Board of Appeals.

Section 9. APPEALS.

- 9.001 Scope of Appeals. An appeal may be taken to the Board of Appeals by- any person, firm, corporation, office, department, board or commission aggrieved by a decision of the Zoning Officer. Such appeal shall be made within such time as shall be prescribed by the Board of Appeals by filing with the Zoning Officer a Notice of Appeal specifying the grounds thereof. The Zoning Officer shall forthwith transmit to the Board of Appeals all of the papers constituting a record upon which the appeal is based.

9.002 FINDINGS ON APPEAL.

- a. An appeal shall stay all proceedings in-furtherance of the actions appealed from unless the Zoning Officer certifies to the Board of Appeals, after the notice of the appeal has been filed with him, that by reason of facts stated in the appeal a stay would, in his opinion, cause imminent peril to life or property.
- b. The Board of Appeals shall select a reasonable time and place for the hearing of the appeal, give due notice thereof to the parties concerned, and shall render a written decision on the appeal without unreasonable delay. The Board of Appeals may, upon the concurring vote of four (4) members, affirm or reverse wholly or in part or modify the order requirement, decision, or determination that, in its opinion, is justified by the evidence. To that end, the Board of Appeals shall have all the powers of the Zoning Officer from whose decision the appeal was made. The Zoning Officer shall maintain records of all actions of the Board of Appeals relative to decisions made on appeals,

Section 10. SPECIAL USE PERMITS.

- 10.001 PURPOSE. The development and administration of the Ordinance is based upon the division of the Village into zoning districts, within which districts the use of land and buildings and the size and location of buildings and structures in relation to the land occupied are substantially uniform. The Ordinance recognizes, however, that there are certain uses which, because of their unique characteristics, cannot be properly classified in any particular district or districts, without consideration in each case of the impact of those uses upon neighboring uses and of the public need for the particular use at the location being considered. Such special uses fall into two categories:

- a. Uses publicly operated or traditionally influenced by a public interest,
- b. Uses entirely private in character, but of such an unusual nature that their operation may give rise to unique problems with respect to their impact on neighboring property or public facilities.

- 10.002 INITIATION OF SPECIAL USE. Any person having a freehold interest in land, a possessory interest entitled to exclusive possession, or a contractual interest which may become a freehold interest or an exclusive possessory interest, any one of which is specifically enforceable, may file an application to use such land for one or more of the special uses provided for in the Ordinance for the zoning district in which the land is located.

- 10.003 APPLICATION FOR A SPECIAL USE PERMIT. An application for a special use permit shall be filed with the Zoning Officer on a form prescribed by the Board of Appeals. The application shall be accompanied by such plans and/or data prescribed by the Board of Appeals and shall include a statement in writing by the applicant and adequate evidence showing that the proposed use will conform to the standards set forth in this Section, Such application shall be forwarded by the Zoning Officer to the Board of Appeals with a request for a public hearing and a decision relative thereto.
- 10.004 HEARING ON APPLICATION. Upon receipt of the application in proper form, the Board of Appeals shall hold at least one (1) public hearing on the proposed special use. Notice of time and place of such hearing shall be published in the official newspaper not less than fifteen (15) days nor more than thirty (30) days preceding said hearing. The published notice may be supplemented by such additional forms of notice as the Board of Appeals may deem appropriate.
- 10.005 AUTHORIZATION. For each application for a special use permit the Zoning officer shall prepare and file with the Board of Appeals his findings and recommendations, including any recommended stipulations of additional conditions and guarantees that he deems necessary for the protection of the public interest.
- 10.006 STANDARDS. No special use permit shall be granted by the Board of Appeals unless the Board finds:
- a. That the establishment, maintenance, or operation of the special use will not be detrimental to nor endanger the public health, safety, morals, comfort or general welfare;
 - b. That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor will substantially diminish property values within the neighborhood;
 - c. That the establishment, maintenance or operation of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;
 - d. That adequate utilities, access roads, drainage and/or other necessary facilities have been planned or are being provided;
 - e. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public-streets; and
 - f. That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is to be located, except as such regulations may in each instance, be modified as the Board of Appeals deems appropriate,
- 10.007 CONDITIONS AND GUARANTEES. Prior to the granting of any special use permit, the Board of Appeals shall stipulate such conditions and restrictions upon the establishment, location, construction, maintenance, and operation of the special use as is deemed necessary for the protection of the public interest and to secure compliance with the standards and requirements of this Section. In all cases in which special uses are granted, the Board of Appeals shall require such evidence and guarantees of the applicant as it may deem necessary to assure that the conditions stipulated in connection therewith are being and will continue to be complied with.

10.008 DENIAL AND REVOCATION OF A SPECIAL USE PERMIT.

- a. DENIAL OF A SPECIAL USE PERMIT. An application for a special use permit that has been denied wholly or in part by the Board of Appeals shall not be resubmitted for a period of one (1) year from the date of said order of denial, except on the grounds of new evidence or proof of change of conditions found to be valid by the Board of Appeals.
- b. REVOCATION OF A SPECIAL USE PERMIT. In any case where a use has not been established within one (1) year after the date of the granting of the permit, then without further action by the Board of Appeals, the special use permit is revoked and its authorization shall be null and void.

Section 11. OTHER POWERS OF THE BOARD OF APPEALS.

The Board of Appeals is hereby vested with the following additional authority and jurisdiction:

- 11.001 INTERPRETATION OF DISTRICT MAP. Where the application of the rules for interpretation or district boundaries contained in Article III leaves a reasonable doubt as to the boundary between two districts, the Board of Appeals, after notice to the owners of the affected property and after a public hearing, shall interpret the map in such a way as to carry out the intent and purposes of the Ordinance.
- 11.002. TEMPORARY USES AND PERMITS. The Board of Appeals may issue a permit for the temporary use of a building or premises in any district for a purpose or use that does not conform to the regulations prescribed by the Ordinance, provided that such use be of a true temporary nature and does not involve the erection of substantial buildings. Such permit shall be granted in the form of a temporary and revocable permit for not more than a twelve (12) month period, subject to such conditions as will safeguard the public health, safety, convenience and general welfare. The terms "temporary" and "substantial" as used herein are subject to definition by the Board of Appeals as it deems appropriate to a given use.
- 11.003 CERTAIN INDUSTRIES IN THE "I" DISTRICT. In determining whether certain uses shall be located in the "I" District, the Board of Appeals shall give due regard to the nature and condition of all adjacent uses and structures, and the consistency therewith of the proposed use and development. Before authorizing a use for location in the "I" District, the Board shall determine whether the proposed use would be hazardous, harmful, noxious, offensive, or a nuisance to the surrounding neighborhood by reason of noise, smoke, odor, vibration, dust and dirt, cinders, noxious gases, glare and heat, fire and safety hazards, sewage wastes and pollution, transportation and traffic, and negative aesthetic and psychological effects.

Section 12. AMENDMENTS.

- 12.001 AUTHORITY. For the purpose of promoting the public health, safety, morals, comfort, and general welfare, conserving the value of property throughout the Village, and lessening or avoiding congestion in the public streets and highways, the Village Board may from time to time in the manner hereinafter set forth amend the Ordinance. The Ordinance may be amended, provided that in all amendments adopted under the authority of this Section, due allowance shall be made for existing conditions, the conservation of property values, the direction of building development to the best advantages of the entire community, and the

uses to which the property is devoted at the time of the adoption of such amendment.

- 12.002 INITIATION OF AMENDMENTS. Amendments may be proposed by the Village Board, the Planning Commission or by any interested person or organization.
- 12.003 APPLICATION FOR AMENDMENT. An application for an amendment shall be filed with the Zoning Officer in such form and accompanied by such information as required by the Zoning Officer, who shall forward the application to the Planning Commission with his recommendation and with the request to hold a public hearing on said application for amendment.
- 12.004 HEARING ON APPLICATION. The Planning Commission shall hold a public hearing on each application for an amendment at such time and place as shall be established by the Planning Commission. The hearing shall be conducted and a record of such proceedings shall be preserved in such manner as the Planning Commission may prescribe.
- 12.005 NOTICE OF HEARING. Notice of time and place of such hearing shall be published at least once in the official newspaper not less than fifteen (15) nor more than thirty (30) days before such hearing. The published notice may be supplemented by such additional forms of notice as the Planning Commission may deem appropriate.
- 12.006 FINDINGS OF FACT AND RECOMMENDATION. Within forty-five (45) days after the close of the hearing on a proposed amendment, the Planning Commission shall make written findings of fact and shall submit same together with its recommendation to the Village Board. Where the purpose and effect of the proposed, amendment is to change the zoning classification of particular property, the findings of fact and recommendation shall include the following information:
- (a) Existing use of property within the general area of the property in question;
 - (b) The zoning classification of property within the general area of the property in question;
 - (c) The suitability of the property in question to the uses permitted under the existing zoning classification;
 - (d) The trend in development, if any, in the general area of the property in question, including changes, if any, which have taken place since the day the property in question was placed in its present zoning classification; and
- 12.007 MINIMUM PARCEL SIZE. A lot, lots or parcel of land shall not qualify for a zoning amendment unless it possesses two hundred (200) feet of frontage or contains twenty-five thousand (25,000) square feet of area, or adjoins a lot, lots or parcel of land which bears the same zoning district classification as the land proposed for the zoning amendment.
- 12.008 RECOMMENDATION. The Planning Commission shall recommend the adoption of a proposed amendment only when it finds that the adoption of such amendment is in the public interest and is not solely for the interest of the applicant. The Planning Commission may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph, the "A-1" District shall be considered the highest classification and the

"I" District shall be considered the lowest classification.

12.009 ACTION BY THE VILLAGE BOARD.

- a. The Village Board shall not act upon a proposed amendment to the Ordinance until it shall have received a written report and recommendation from the Planning Commission on the proposed amendment.
- b. The Village Board may grant or deny any application for an amendment, provided, however, that in the event a written protest against any proposed amendment, signed and acknowledged by the owners of twenty percent (20%) of the frontage proposed to be altered, or by the owners of twenty percent (20%) of the frontage immediately adjoining or across an alley therefrom, or by the owners of twenty percent (20%) of the frontage directly across the street from the frontage proposed to be altered, is filed with the Village Clerk, amendment shall not be passed except by a favorable vote of two-thirds (2/3's) of all members of the Village Board.

12.009 EFFECT OF DENIAL OF AMENDMENT. No application for an amendment that has been denied wholly or in part by the Village Board shall be resubmitted for a period of one (1) year from the date of said denial except on the grounds of new evidence or proof of change of conditions found to be valid by the Planning Commission.

**ARTICLE XVIV
VILLAGE OF COAL VALLEY
MUNICIPAL CANNABIS BUSINESS ZONING**

WHEREAS, the Village of Coal Valley, Illinois, has enacted Municipal Code Regulations for the purpose of improving and protecting the public health, safety, comfort, convenience and general welfare of the people; and

WHEREAS, the State of Illinois enacted the Cannabis Regulation and Tax Act, (410 ILCS 7051) which pertains to the possession, use, cultivation, transportation and dispensing of adult-use cannabis, which became effective January 1, 2020; and

WHEREAS, pursuant to the Act, the Village may enact reasonable zoning ordinances or resolutions not in conflict with the Act, regulating cannabis business establishments, including rules adopted governing the time, place, manner and number of cannabis business establishments, and minimum distance limitations between cannabis business establishments and locations the Village deems sensitive; and

WHEREAS, on December 18, 2019, the Village Board initiated an amendment to Article XVIII (Zoning Ordinance) to review and consider additional amendments to further regulate adult-use cannabis facilities within the Village of Coal Valley; and

WHEREAS, the Planning and Zoning Commission/Zoning Board of Appeals conducted public hearings, as required by law, on 01/22/2020 and 02/19/2020, in regards to the proposed amendments to Article XVIII (Zoning Ordinance) of the Village of Coal Valley Code of Ordinances pertaining to adult-use cannabis; and

WHEREAS, the Planning and Zoning Commission/Zoning Board of Appeals recommended approval of the proposed amendments to Article XVIII (Zoning Ordinance) on 03/18/2020.

NOW, THEREFORE, BE IT ORDAINED by the Village Board of Trustees of the Village of Coal Valley as follows:

SECTION 1: The recitals set forth above are incorporated herein.

SECTION 2: Article 1 and 2 (Zoning Title, Purpose, Definitions) of Article XVIII (Zoning Ordinance) of the Village of Coal Valley Municipal Code is hereby amended by adding the underlined language and deleting the stricken language, as follows:

* * *

ADULT-USE CANNABIS BUSINESS ESTABLISHMENT:

An adult-use cannabis cultivation center, craft grower, processing organization, infuser organization, dispensing organization or transporting organization.

ADULT-USE CANNABIS CRAFT GROWER:

A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to cultivate, dry, cure and package cannabis and perform other necessary activities to

make cannabis available for sale at a dispensing organization or use at a processing organization, per the Cannabis Regulation and Tax Act, (P.A. 410 ILCS 7051), as it may be amended from time-to-time, and regulations promulgated thereunder.

ADULT-USE CANNABIS CULTIVATION CENTER:

A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to cultivate, process, transport and perform necessary activities to provide cannabis and cannabis-infused products to licensed cannabis business establishments, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

ADULT-USE CANNABIS DISPENSING ORGANIZATION:

A facility operated by an organization or business that is licensed by the Illinois Department of Financial and Professional Regulation to acquire cannabis from licensed cannabis business establishments for the purpose of selling or dispensing cannabis, cannabis-infused products, cannabis seeds, paraphernalia or related supplies to purchasers or to qualified registered medical cannabis patients and caregivers, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

ADULT-USE CANNABIS INFUSER ORGANIZATION OR INFUSER:

A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to directly incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis-infused product, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

ADULT-USE CANNABIS PROCESSING ORGANIZATION OR PROCESSOR:

A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to either extract constituent chemicals or compounds to produce cannabis concentrate or incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis product, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

ADULT-USE CANNABIS TRANSPORTING ORGANIZATION OR TRANSPORTER:

An organization or business that is licensed by the Illinois Department of Agriculture to transport cannabis on behalf of a cannabis business establishment or a community college licensed under the Community College Cannabis Vocational Training Pilot Program, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

* * *

SECTION 3: Article IV (General Zoning Provisions) of Article XVIII (Zoning Ordinance) of the Village of Coal Valley Code of Ordinances is hereby amended by adding the underlined language and deleting the stricken language, as follows:

* * *

: ADULT-USE CANNABIS:

1. Purpose and Applicability: It is the intent and purpose of this Section to provide regulations regarding the cultivation, processing and dispensing of adult-use cannabis occurring within the corporate limits of the Village of Coal Valley. Such facilities shall comply with all regulations provided in the Cannabis Regulation and Tax Act (P.A. 101-0027) (Act), as it may be amended from time-to-time, and regulations promulgated thereunder, and the regulations provided below. In the event that the Act is amended, the more restrictive of the state or local regulations shall apply.

2. Special Use: Adult-Use Cannabis Business Establishment facilities, as defined herein, requiring approval of a special use in the respective districts in which they are requested shall be processed in accordance with Article XIX, Section 10 (Special Uses) of this Title and Section 3 (Adult-Use Cannabis Facility Components) as provided herein.

3. Adult-Use Cannabis Facility Components: In determining compliance with Article XIX, Section 10

(Special Uses) of this Title, the following components of the Adult-Use Cannabis Facility shall be evaluated based on the entirety of the circumstances affecting the particular property in the context of the existing and intended future use of the properties:

3.1 Impact of the proposed facility on existing or planned uses located within the vicinity of the subject property.

3.2 Proposed structure in which the facility will be located, including co-tenancy (if in a multi-tenant building), total square footage, security installations/security plan and building code compliance.

3.3 Hours of operation and anticipated number of customers/employees.

3.4 Anticipated parking demand based on Article XIV and available private parking supply.

3.5 Anticipated traffic generation in the context of adjacent roadway capacity and access to such roadways.

3.6 Site design, including access points and internal site circulation.

3.7 Proposed signage plan.

3.8 Compliance with all requirements provided in Section 4 (Adult-Use Cannabis Craft Grower); Section 5 (Adult-Use Cannabis Cultivation Center); Section 6 (Adult-Use Cannabis Dispensing Organization); Section 7 (Adult-Use Cannabis Infuser Organization); Section 8 (Adult-Use Cannabis Processing Organization); or Section 9 (Adult-Use Cannabis Transporting Organization), as applicable.

3.8 Other criteria determined to be necessary to assess compliance with Article XIX, Section 10 Special Uses) of this Title.

4. Adult-Use Cannabis Craft Grower: In those zoning districts in which an Adult-Use Cannabis Craft Grower may be located, the proposed facility must comply with the following:

4.1 Facility may not be located within 1,500 feet of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, day care center, day care home or residential care home. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this Section.

4.2 Facility may not be located within 1,500 feet of the property line of a pre-existing property zoned or used for residential purposes.

4.3 Facility may not conduct any sales or distribution of cannabis other than as authorized by the Act.

4.4 For purposes of determining required parking, Adult-Use Cannabis Craft Grower shall be classified as “Manufacturing plants and testing labs” per Article XIV, Section 1 (Schedule of Off-Street Parking Requirements: Industrial Uses), provided, however, that the Village may require that additional parking be provided as a result of the analysis completed through Section 3(Adult-Use Cannabis: Special Use) herein.

4.5 Petitioner shall file an affidavit with the Village affirming compliance with Section 3 as provided herein and all other requirements of the Act.

5. Adult-Use Cannabis Cultivation Center: In those zoning districts in which an Adult-Use Cannabis Cultivation Center may be located, the proposed facility must comply with the following:

5.1 Facility may not be located within 1,500 feet of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, day care center, day care home or residential care home. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this Section.

5.2 Facility may not be located within 1,500 feet of the property line of a pre-existing property zoned or used for residential purposes.

5.3 Facility may not conduct any sales or distribution of cannabis other than as authorized by the Act.

5.4 For purposes of determining required parking, Adult-Use Cannabis Cultivation Centers shall be classified as “Manufacturing plants and testing labs ” per Article XIV, Section 1 (Schedule of Off-Street Parking Requirements Article XIV: Industrial Uses), provided, however, that the Village may require that additional parking be provided as a result of the analysis completed through Section 3(Adult-Use Cannabis: Special Use) herein.

5.5 Petitioner shall file an affidavit with the Village affirming compliance with Section 3 as provided herein and all other requirements of the Act.

6. Adult-Use Cannabis Dispensing Organization: In those zoning districts in which an Adult-Use Cannabis Dispensing Organization may be located, the proposed facility must comply with the following:

6.1 Facility may not be located within 1,500 feet of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, day care center, day care home or residential care home. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this Section.

6.2 Facility may not be located in a dwelling unit or within 250 feet of the property line of a pre-existing property zoned or used for residential purposes.

6.3 At least 75% of the floor area of any tenant space occupied by a dispensing organization shall be devoted to the activities of the dispensing organization as authorized by the Act, and no dispensing organization shall also sell food for consumption on the premises other than as authorized in Section 6.5 below in the same tenant space.

6.4 Facility may not conduct any sales or distribution of cannabis other than as authorized by the Act.

6.5 Facility may be issued a permit to host on-site consumption of cannabis if located in a freestanding structure occupied solely by the dispensing organization and smoke from the

facility does not migrate into an enclosed area where smoking is prohibited as per the Smoke Free Illinois Act. The security plan for the facility required by Section 10 (Additional Requirements) shall also reflect adequate provisions to respond to disruptive conduct and over-consumption. The on-site consumption permit shall be reviewed annually and may be suspended or revoked following notice and hearing as provided in Article XIX of the Village of Coal Valley Code of Ordinances.

6.6 For purposes of determining required parking, said facilities shall be classified as “Other Parking” per Section 1 Article XIV, Section 1 (Schedule of Off-Street Parking Requirements: Commercial Uses) of the Village of Coal Valley Municipal Code, provided, however, that the Village may require that additional parking be provided as a result of the analysis completed through Section 3(Adult-Use Cannabis: Special Use) herein.

6.7 Petitioner shall file an affidavit with the Village affirming compliance with Section 3 as provided herein and all other requirements of the Act.

7. Adult-Use Cannabis Infuser Organization: In those zoning districts in which an Adult-Use Cannabis Infuser Organization may be located, the proposed facility must comply with the following:

7.1 Facility may not be located within 1,500 feet of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, day care center, day care home or residential care home. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this Section.

7.2 Facility may not be located in a dwelling unit or within 250 feet of the property line of a pre-existing property zoned or used for residential purposes.

7.3 At least 75% of the floor area of any tenant space occupied by an infusing organization shall be devoted to the activities of the infusing organization as authorized by the Act. Facility may not conduct any sales or distribution of cannabis other than as authorized by the Act.

7.4 For purposes of determining required parking, said facilities shall be classified as “Other Parking” per Article XIV, Section 1(Schedule of Off-Street Parking Requirements: Commercial Uses) of the Village of Coal Valley Municipal Code, provided, however, that the Village may require that additional parking be provided as a result of the analysis completed through Section 1 Article XIV (Adult-Use Cannabis: Conditional Use) herein.

7.5 Petitioner shall file an affidavit with the Village affirming compliance with Section 3 as provided herein and all other requirements of the Act.

8. Adult-Use Cannabis Processing Organization: In those zoning districts in which an Adult-Use Cannabis Processing Organization may be located, the proposed facility must comply with the following:

8.1 Facility may not be located within 1,500 feet of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, day care center, day care home or residential care home. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this Section.

8.2 Facility may not be located in a dwelling unit or within 250 feet of the property line of a pre-existing property zoned or used for residential purposes.

8.3 At least 75% of the floor area of any tenant space occupied by a processing organization shall be devoted to the activities of the processing organization as authorized by the Act. Facility may not conduct any sales or distribution of cannabis other than as authorized by the Act.

8.4 For purposes of determining required parking, said facilities shall be classified as “Other Parking” per Section 1 (Schedule of Off-Street Parking Requirements: Commercial Uses) of the Village of Coal Valley Municipal Code, provided, however, that the Village may require that additional parking be provided as a result of the analysis completed through Section 3(Adult-Use Cannabis: Conditional Use) herein.

8.5 Petitioner shall file an affidavit with the Village affirming compliance with Section 3 as provided herein and all other requirements of the Act.

9. Adult-Use Cannabis Transporting Organization: In those zoning districts in which an Adult-Use Transporting Organization may be located, the proposed facility must comply with the following:

9.1 Facility may not be located within 1,500 feet of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, day care center, day care home or residential care home. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this Section.

9.2 Facility may not be located in a dwelling unit or within 250 feet of the property line of a pre-existing property zoned or used for residential purposes.

9.3 The transporting organization shall be the sole use of the tenant space in which it is located. Facility may not conduct any sales or distribution of cannabis other than as authorized by the Act.

9.4 For purposes of determining required parking, said facilities shall be classified as “Other Parking” per Article XIV, Section 1(Schedule of Off-Street Parking Requirements: Commercial Uses) of the Village of Coal Valley Municipal Code, provided, however, that the Village may require that additional parking be provided as a result of the analysis completed through Article 1 (Adult-Use Cannabis: Conditional Use) herein.

9.5 Petitioner shall file an affidavit with the Village affirming compliance with Section 3 as provided herein and all other requirements of the Act.

10. Additional Requirements: Petitioner shall install building enhancements, such as security cameras, lighting or other improvements, as set forth in the conditional use permit, to ensure the safety of employees and customers of the adult-use cannabis business establishments, as well as its environs. Said improvements shall be determined based on the specific characteristics of the floor plan for an Adult-Use Cannabis Business Establishment and the site on which it is located, consistent with the requirements of the Act.

11. Co-Location of Cannabis Business Establishments. The Village may approve the co-location of an Adult-Use Cannabis Dispensing Organization with an Adult-Use Cannabis Craft Grower Center or an Adult-Use Cannabis Infuser Organization, or both, subject to the provisions of the Act and the Conditional Use criteria within the Village of Coal Valley Municipal Code. In a co-location, the floor space requirements of Section 6.3 and 7.3 shall not apply, but the co-located establishments shall be the sole use of the tenant space.

SECTION 4: Articles XI, XII & XIII (Commercial Districts) of Article XIX (Zoning Ordinance) of the Village of Coal Valley Municipal Code is hereby amended by adding the underlined language, as follows:

ARTICLE XI. B-1 LIMITED BUSINESS DISTRICT

_____ : **PERMITTED USES:**

* * *

_____ : **SPECIAL USES:**

The following conditional uses may be permitted in specific situations in accordance with the procedures outlined in Section 3 and Article XII of this Title, as appropriate:

* * *

Adult-Use Cannabis Dispensing Organization.

ARTICLE XII. B-2. SPECIAL USES

_____ : **PERMITTED USES:**

* * *

_____ : **SPECIAL USES:**

The following special uses may be permitted in specific situations in accordance with the procedures outlined in Section 3 and Article XII of this Title, as appropriate:

* * *

Adult-Use Cannabis Dispensing Organization.

Adult-Use Cannabis Infuser Organization.

Adult-Use Cannabis Processing Organization.

Adult-Use Cannabis Transporting Organization.

SECTION 5: Article VIII (Industrial Districts) of Article XIX (Zoning Ordinance) of the Village of Coal Valley Code of Ordinances is hereby amended by adding the underlined language and deleting the stricken language, as follows:

ARTICLE XIII. I-1 LIGHT INDUSTRIAL DISTRICT

_____ : **PERMITTED USES:**

* * *

_____ : **SPECIAL USES:**

The following special uses may be permitted in specific situations in accordance with the procedures outlined in Section 3 and Article XIII of this Title, as appropriate:

* * *

Adult-Use Cannabis Craft Grower Organization.

Adult-Use Cannabis Dispensing Organization.

Adult-Use Cannabis Infuser Organization.

Adult-Use Cannabis Processing Organization.

Adult-Use Cannabis Transporting Organization.

SECTION 6: Severability. If any provision of this Ordinance or application thereof to any person or circumstances is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this Ordinance is severable.

SECTION 7: Penalties. Any person, firm or corporation violating the Chapters and adopted Codes in this Ordinance shall be fined not less than \$45.00 or more than \$750.00 per individual violation. In the event of the continuation of such willful failure, neglect or refusal to comply with such order, each day's continuance is a separate offense. Ordinance citations issued for violations that are not paid within 14 days of the date of the citation will be taken to the Municipal Code Enforcement System (MUNICES) for adjudication.

SECTION 8: Inspections. The Building Inspector for the Village of Coal Valley, the Chief of Police or their duly authorized representative (s) shall be known as the Health Authority and shall have the authority to enter any property at any reasonable time to inspect for health, sanitation, or safety purposes to determine compliance with the provisions of this Ordinance. In the event the Health Authority, in attempting to enter any premises for the purpose of making an inspection to carry out the provisions of this ordinance, shall be refused entry, an affidavit may be made under oath to any judge of the circuit court for a warrant authorizing the Health Authority named in the affidavit to enter upon or into such premises for the purpose of determining the existence of the conditions set forth in the affidavit.

SECTION 9: Effective Date. This Ordinance shall be in full force and effect upon its passage and approval as required by law.

ADOPTED THIS _____ day of _____, 20__.

AYES:

NAYS:

ABSTENTIONS:

ABSENT:

APPROVED THIS _____ day of _____, 20 __.

Village President

ATTEST:

Village Clerk

ARTICLE XIX Fees, Penalties and Legal Status Provisions

Section 1. FEES

Any application for an amendment or special use, filed by or on behalf of an owner of the property affected, shall be accompanied by a fee of fifty (50) dollars. The fee for variances and appeals shall be Fifty (50) dollars, The fees for zoning certificates to build in the Village under the following classifications shall be as follows: for a zoning certificate covering not more than two hundred (200) dollars of work, three (3) dollars; for a zoning certificate covering not less than two hundred (200) dollars or more than three thousand (3000) dollars of work, six (6) dollars; for a zoning certificate covering more than three thousand (3000) dollars of work, twelve (12) dollars.

Section 2. PENALTIES.

- (a) Any person violating any provision of the Zoning Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than seventy five dollars (\$75.00) nor more than seven hundred fifty dollars (\$750.00). Each day such violation is committed or allowed to continue shall constitute a separate offense.
- (b) The Village may elect to file an ordinance complaint through the Municipal Code Enforcement System (MUNICES) in order to enforce the provisions of this Zoning Ordinance or any violation of the Village of Coal Valley Code of Ordinances.
- (c) When any act is declared to be forbidden, an officer or any official charged with the enforcement of the provisions of this Zoning Ordinance, may, in lieu of filing a complaint in the Circuit Court or through the Municipal Code Enforcement System (MUNICES), issue a compliance ticket to the person found to be in violation of a provision of this Zoning Ordinance. Any person receiving a compliance ticket from an officer or official charged with the enforcement of these provisions may then thereafter pay an administrative penalty fee of forty-five dollars (\$45.00) at the office of the Village Clerk and may then consider the matter settled. If said penalty fee is not received at the office of the Village Clerk within 14 days from the issuance of the Compliance Ticket, the matter shall be considered contested and the Village will cause a complaint to be filed charging the violator with a said violation of the appropriate provisions of the Zoning Ordinance and the matter shall proceed as provided by law.
- (d) Nothing herein shall prohibit the filing of a complaint in the Circuit Court or through the Municipal Code Enforcement System (MUNICES) for a subsequent violation of the same provision. The Chief of Police or Building Inspector may reasonably extend the period by which the penalty fee called for in subsection (c.) may be paid. The Chief of Police or Building Inspector has the authority to void any Compliance Ticket issued for a violation of this Zoning Ordinance if after careful consideration he deems such action is in the best interest of the Village.
- (e) In addition to the foregoing, the Village Attorney is authorized and directed to initiate litigation in court to recover the costs incurred from the enforcement of the provisions of this ordinance as provided by law.

Section 3. REPEALED.

All ordinances or parts of ordinances in conflict with all or any part of the ordinance are hereby repealed.

Section 4. CONFLICT WITH PRIVATE DEEDS AND COVENANTS.

In case of any conflict between the Ordinance or part thereof, and the whole or part of any existing or future private covenants or deeds, the most restrictive shall apply. The Village is not responsible not will it assume responsibility for enforcing private covenants or deeds.

Section 5. SEVERABILITY.

If any section or part thereof of the Ordinance shall be held to be unconstitutional by a court of competent jurisdiction, the remainder of the provisions herein shall be deemed to continue in full force and effect.

Section 6. EFFECTIVE DATE.

The Ordinance shall take effect and be in full force from and after its adoption and publication as provided by law.

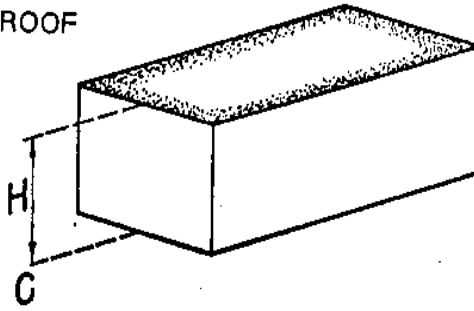
APPENDIX A

The illustrations contained in Appendix A are provided solely to clarify the intent of text provisions and are not to be considered a part of the Zoning Ordinance for purposes of construction or interpretation or otherwise.

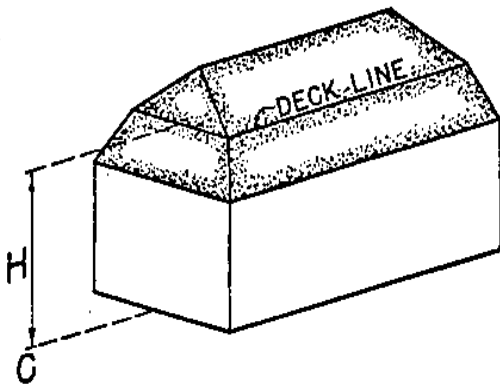
ILLUSTRATION	PAGE
Building Height	74
Basement	75
Cellar	75
Grade	76
Lot Types	77
Lot Width and Depth	78
Principal and Accessory Buildings	79
Required Yards	80

Building Height

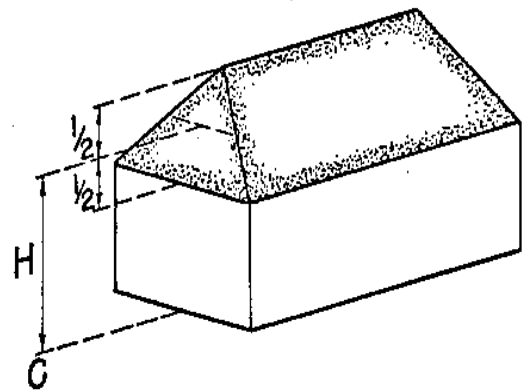
FLAT ROOF



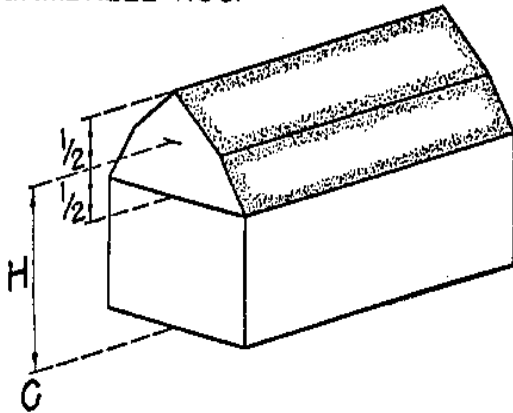
MANSARD ROOF



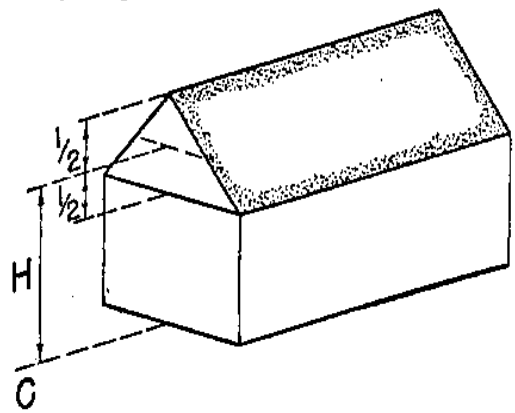
HIP ROOF



GAMBRELL ROOF

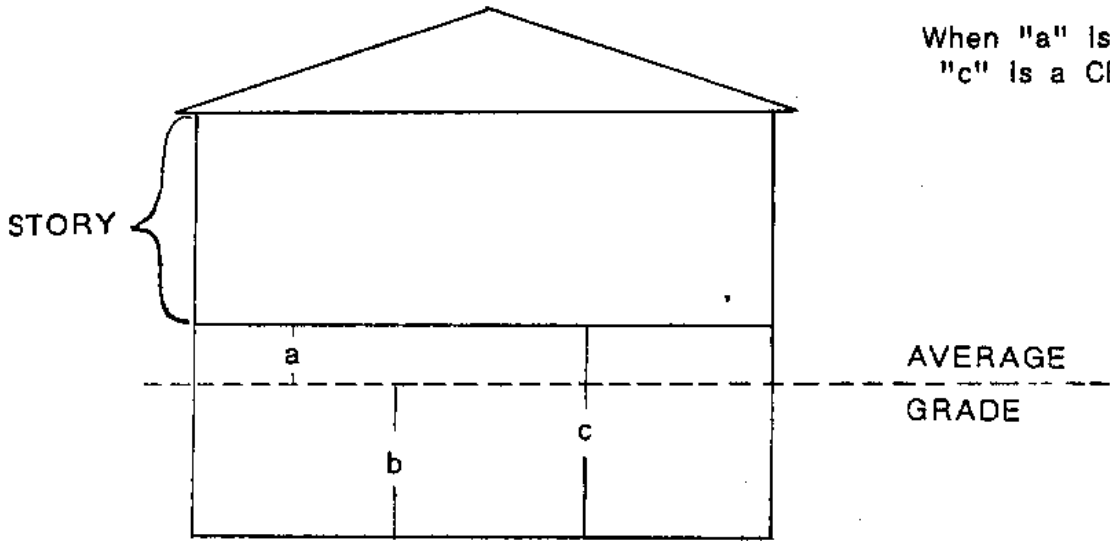


GABLE ROOF



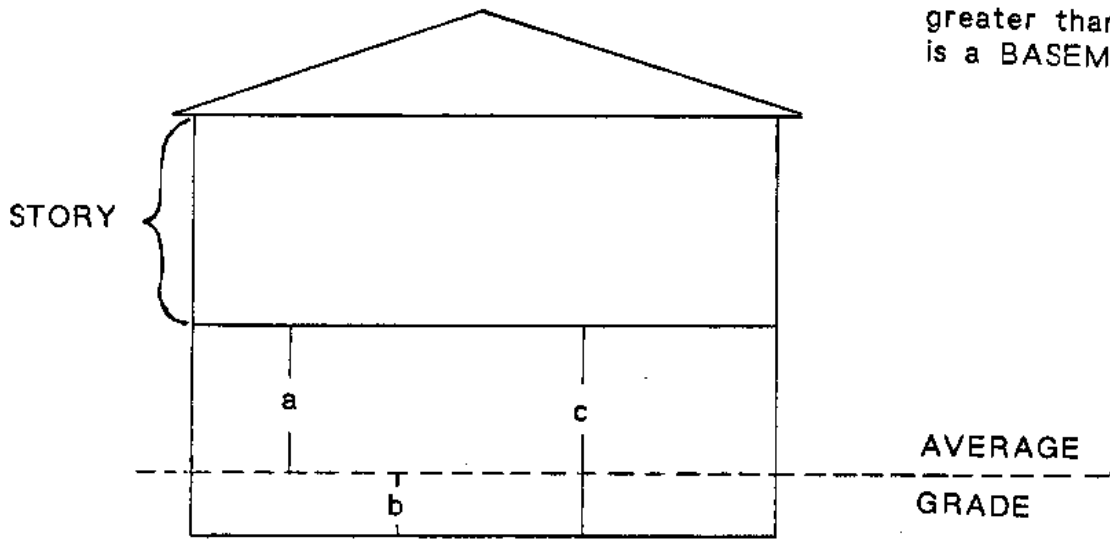
H = Height of building.
C = Grade or tentative curb level grade.

Cellar



When "a" is less than "b",
"c" is a CELLAR.

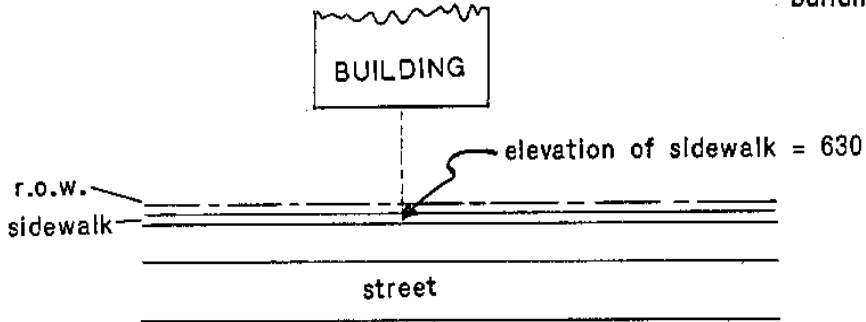
B A S E M E N T



When "a" is equal to or
greater than "b", "c"
is a BASEMENT.

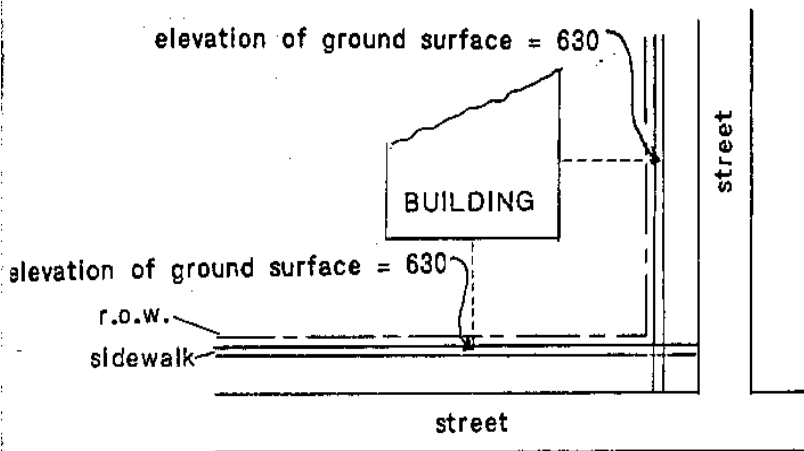
Grade

Adjoining one street,
5' or less setback.



building elevation = 630

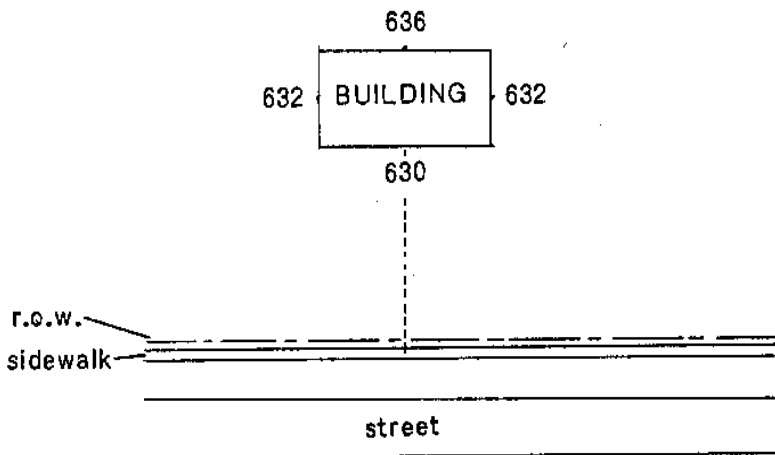
Adjoining two streets,
5' or less setback.



building elevation = 633

$$\begin{array}{r} 630 \\ +636 \\ \hline 2/1266 = 633 \end{array}$$

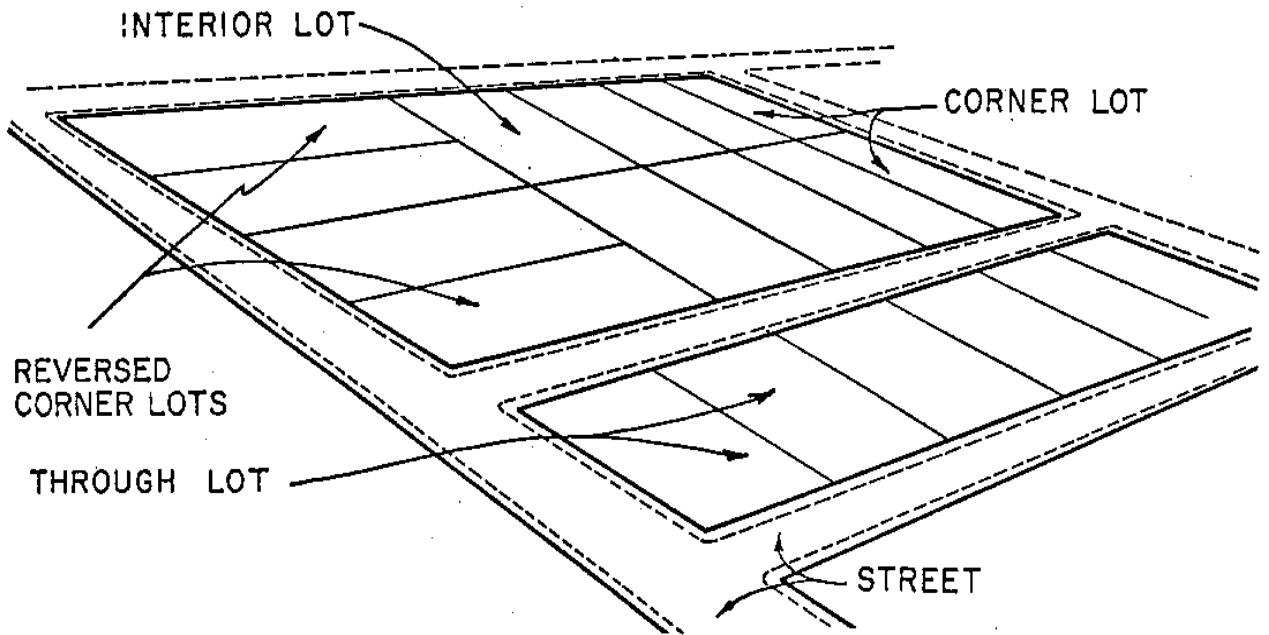
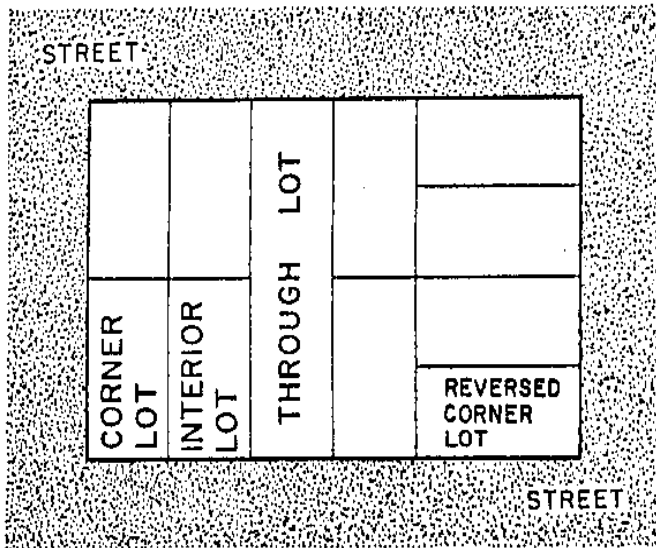
Adjoining one or two streets,
more than 5' setback.



building elevation = 632.5

$$\begin{array}{r} 632 \\ 630 \\ 632 \\ +636 \\ \hline 4/2530 = 632.5 \end{array}$$

LOT TYPES



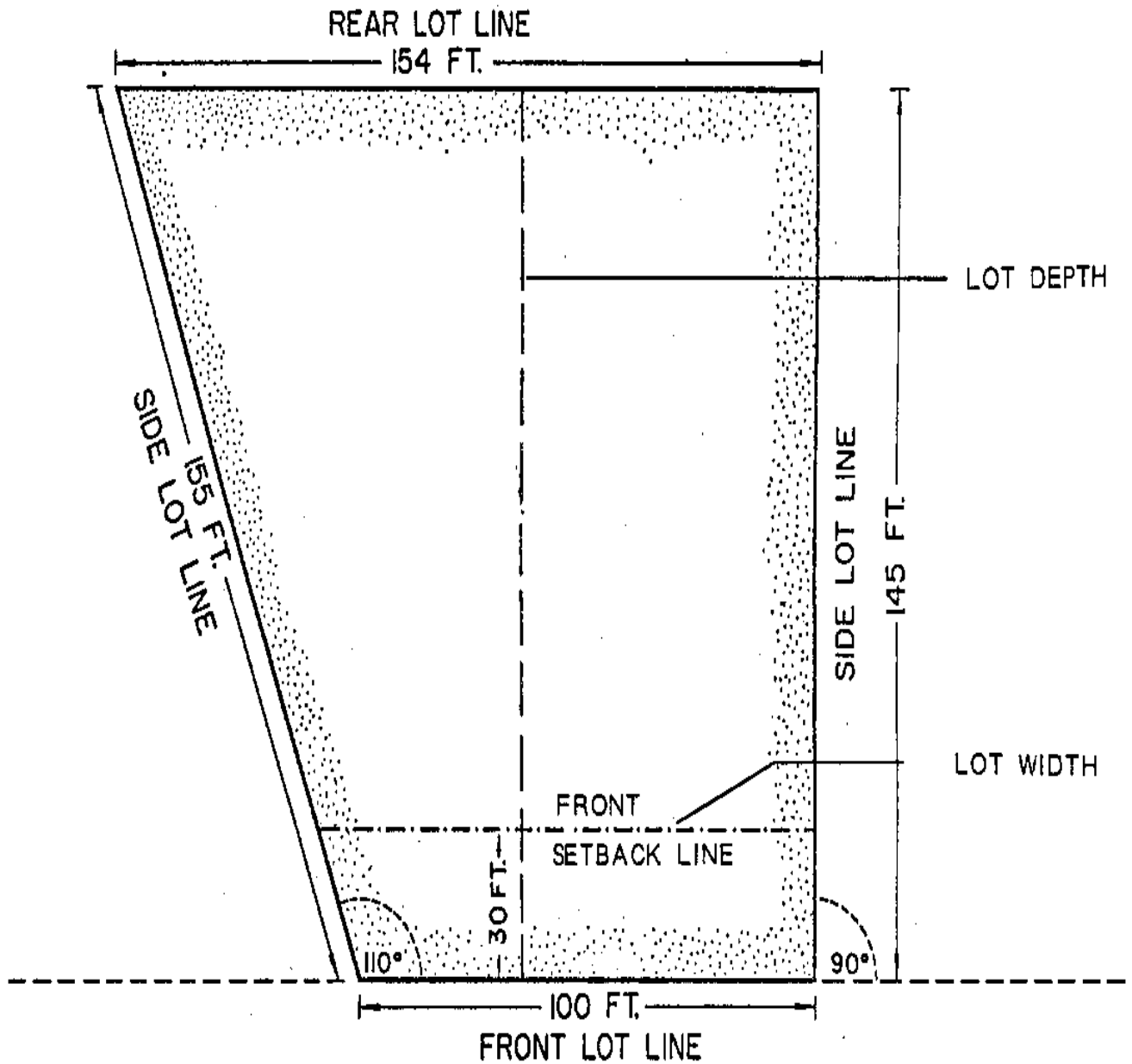
"Corner Lot" is a lot abutting on two streets at their intersection, where the angle of intersection is not more than 135 degrees.

"Reversed Corner Lot" is a corner lot the side lot line of which is substantially a continuation of the front lot line of the first lot to its rear.

"Interior Lot" is a lot other than a corner or reversed corner lot.

"Through Lot" is a lot having a pair of opposite lot lines along two more or less parallel public streets. On a through lot both street lines shall be deemed front lot lines.

Lot Width & Depth

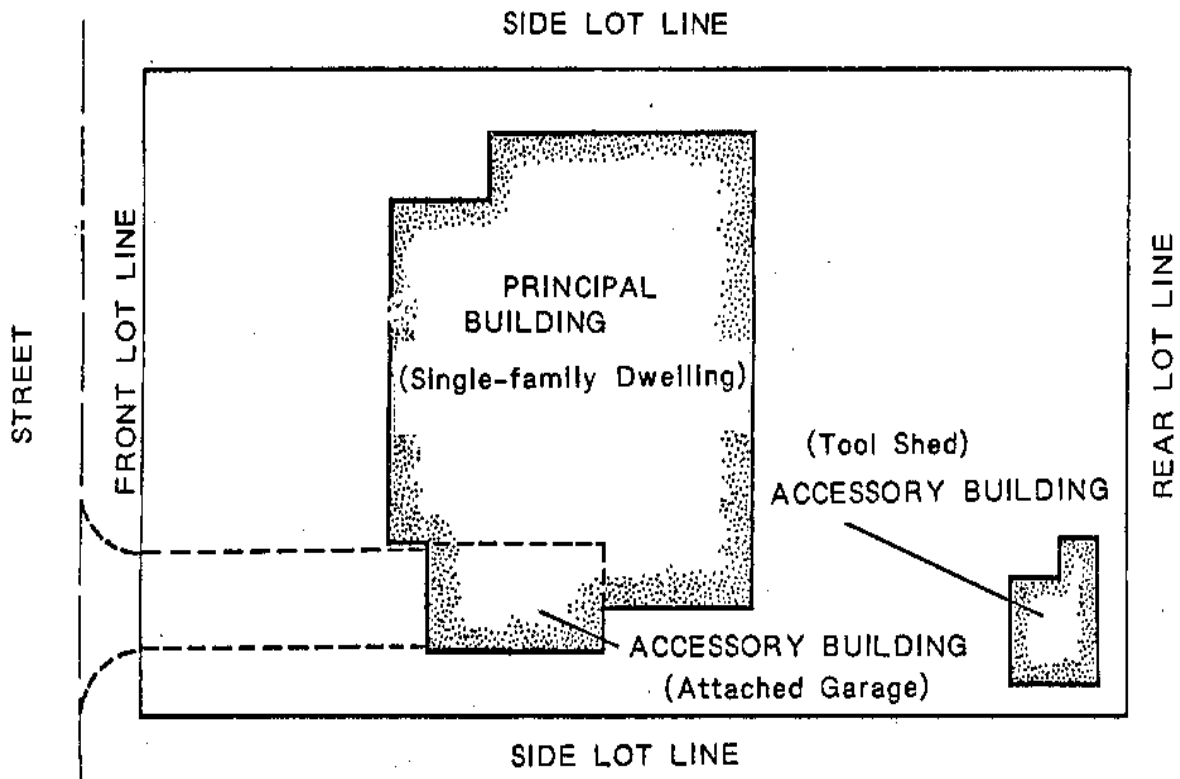


"Lot Width" is the horizontal distance between the side lot lines of a lot, measured at the front setback line.

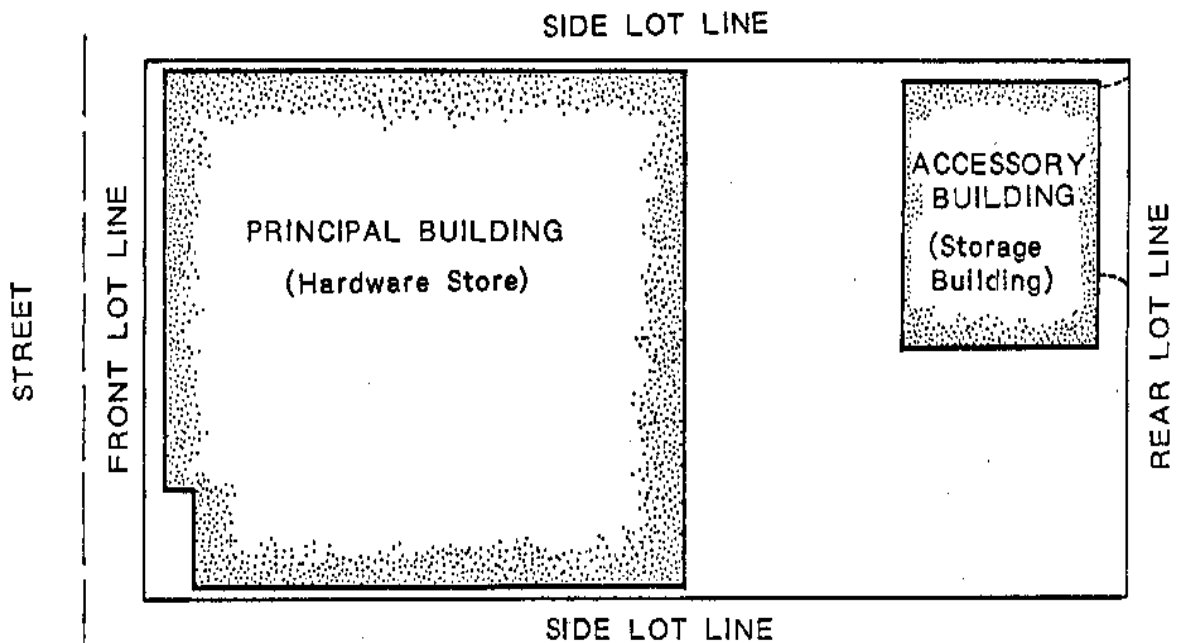
"Lot Depth" is the mean horizontal distance between the front lot line and the rear lot line of a lot, measured within the lot boundaries.

Principal & Accessory Buildings

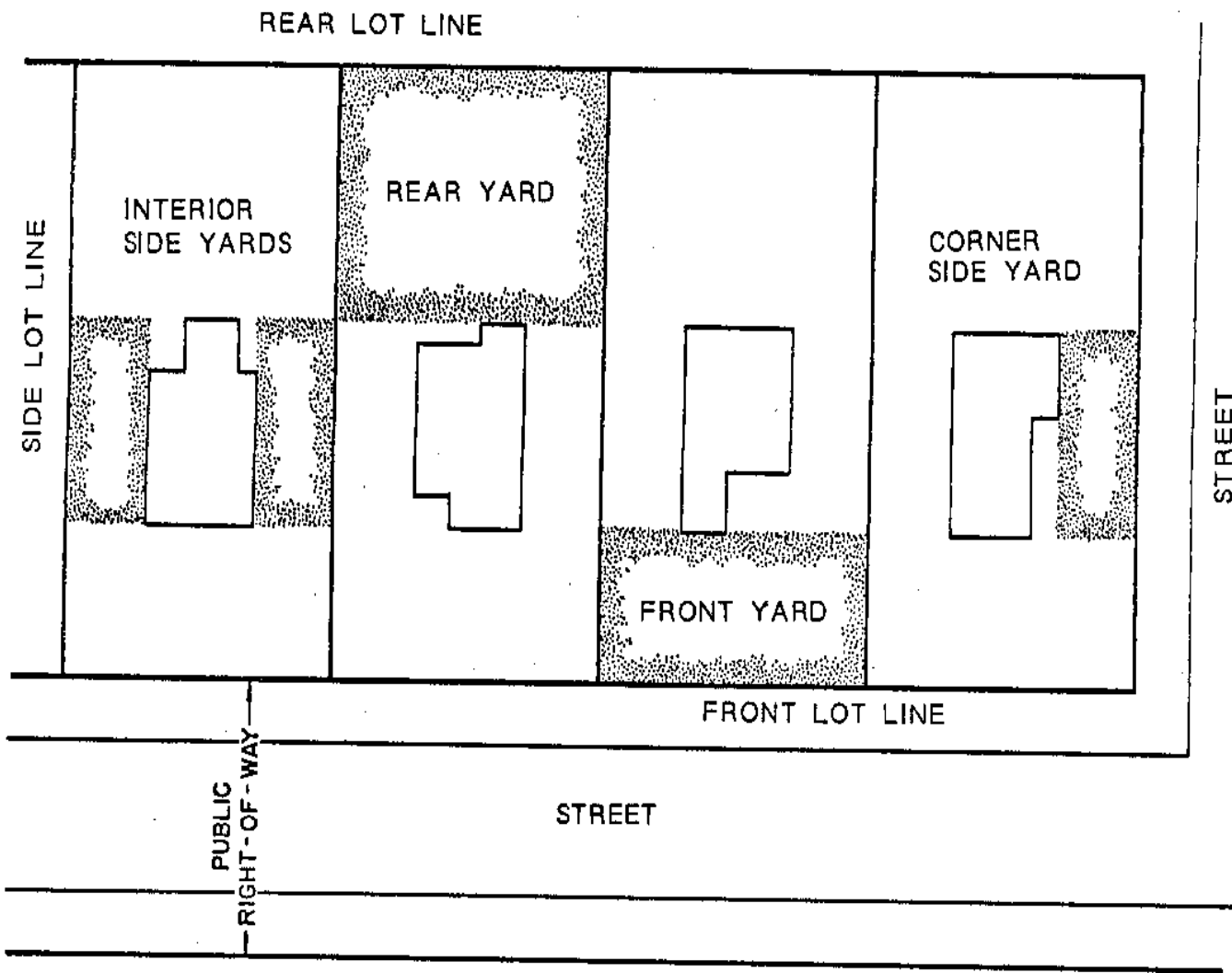
R-1 DISTRICT



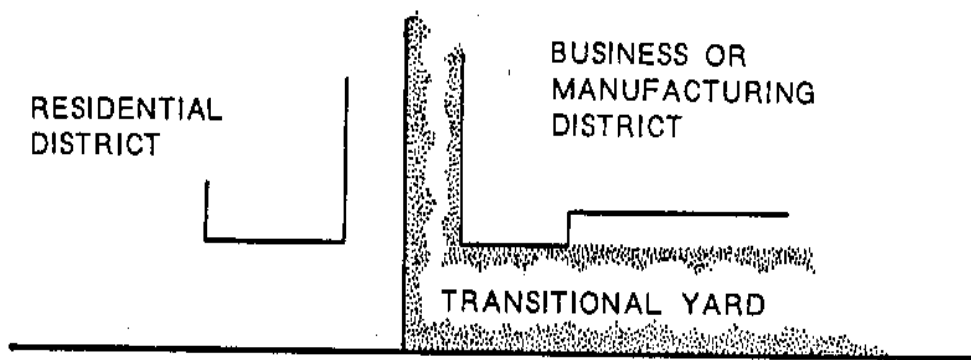
B-1 DISTRICT



Required Yards



TRANSITIONAL YARDS



APPENDIX B

OFF-STREET PARKING CHART

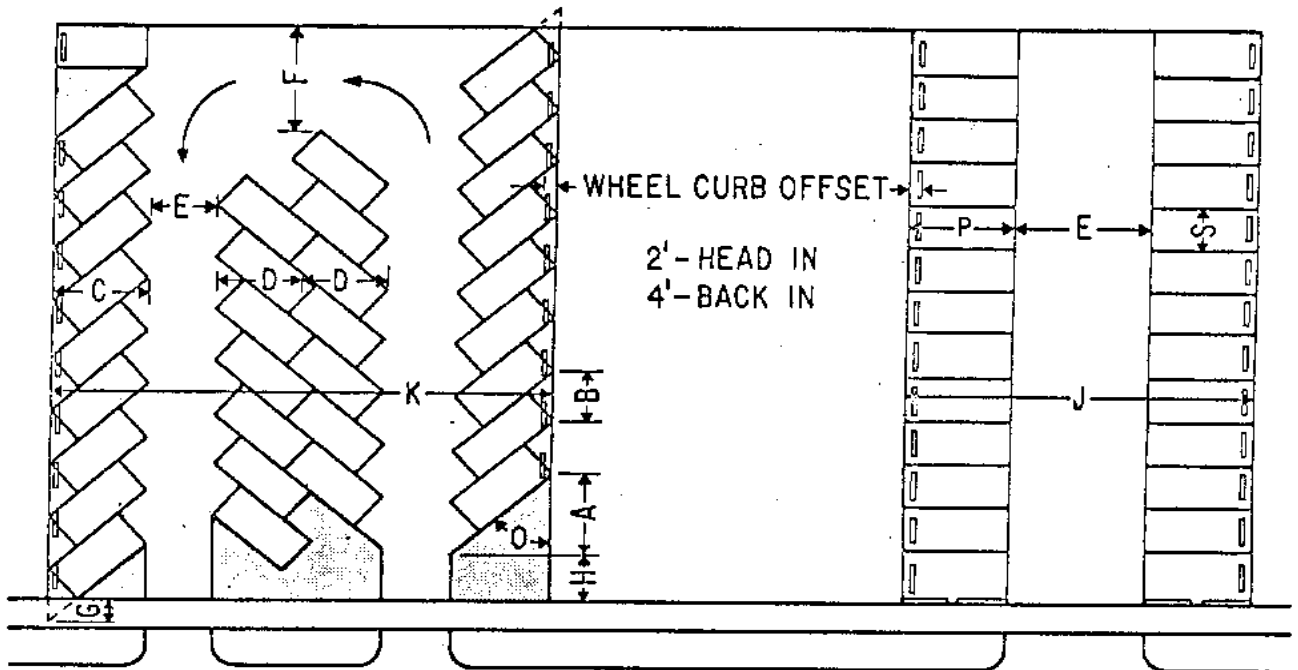


Table of Dimensions (in Feet)

	O	S	P	A	B	C	D	E	F	G	H	J	K
0°		8.0	22.0	0.0	22.0	8.0	8.0	12.0	0.0	0.0	0.0	28.0	0.0
		8.0	24.0	0.0	24.0	8.0	8.0	11.0	0.0	0.0	0.0	27.0	0.0
		8.0	25.0	0.0	26.0	8.0	8.0	10.0	0.0	0.0	0.0	26.0	0.0
30°		8.5	19.0	29.2	17.0	16.9	13.2	10.0	0.0	12.8	6.0	43.8	0.0
		9.0	19.0	30.0	18.0	17.3	13.4	9.0	0.0	13.5	6.0	43.6	0.0
45°		8.5	19.0	19.4	12.0	19.4	16.4	10.8	15.5	6.0	9.5	49.6	93.2
		9.0	19.0	19.8	12.7	19.8	16.6	10.0	16.0	6.4	9.0	49.6	92.8
		9.5	19.0	20.1	13.4	20.1	16.7	9.5	16.5	6.7	8.5	49.7	92.6
		10.0	19.0	20.5	14.1	20.4	16.9	9.0	17.0	7.0	8.0	49.8	92.6
60°		8.5	19.0	12.0	9.8	20.8	18.7	18.0	15.0	2.5	12.5	59.6	115.0
		9.0	19.0	12.1	10.4	21.0	18.8	17.0	15.0	2.6	12.0	59.0	113.6
		9.5	19.0	12.3	11.0	21.3	18.9	15.5	15.0	2.8	11.5	58.1	111.4
		10.0	19.0	12.4	11.5	21.5	19.0	14.0	15.0	2.9	11.0	57.0	109.0
90°		8.5	19.0	0.0	8.5	19.0	19.0	27.0	20.0	0.0	0.0	65.0	130.0
		9.0	19.0	0.0	9.0	19.0	19.0	25.0	20.0	0.0	0.0	63.0	126.0
		9.5	19.0	0.0	9.5	19.0	19.0	24.0	20.0	0.0	0.0	62.0	124.0
		10.0	19.0	0.0	10.0	19.0	19.0	23.0	20.0	0.0	0.0	61.0	122.0